



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
441 G STREET, NW
WASHINGTON, DC 20314-1000

JUL 07 2015

Mr. Andrew Persinko
Deputy Director, Division of Decommissioning, Uranium Recovery, and Waste
Programs, U.S. Nuclear Regulatory Commission Mail Stop
T-7E18, Washington, DC 20555

Dear Mr. Persinko:

I am writing to you regarding the Shallow Land Disposal Area (SLDA) Formerly Utilized Sites Remedial Action Program (FUSRAP) site in Parks Township, Armstrong County, Pennsylvania. The US Army Corps of Engineers (USACE) is currently in physical possession of the SLDA site in order to conduct on-site remediation activities pursuant to § 8143(a)(2) of Public Law 107-117 and consistent with the Memorandum of Understanding between the NRC and the USACE for Coordination of Cleanup & Decommissioning of FUSRAP sites with NRC-licensed facilities, dated July 5, 2001 (MOU).

In order to provide USACE with the access authority necessary to conduct the above-described remediation activities, on June 25, 2009, USACE entered into a site access agreement with BWXT. The Site Access Agreement granted USACE access to the SLDA site through September 30, 2015. USACE took physical possession of the site on August 22, 2011.

In anticipation of the Agreement's expiration on September 30, 2015, USACE submitted a site access agreement extension request to BWXT on February 22, 2013. Despite the good faith efforts of both parties, a final agreement that would authorize USACE's continued presence on the SLDA site after September 30, 2015 has not been reached to date.

It is my expectation that the discussions between BWXT and USACE will succeed in securing an adequate site access agreement that enables continuation of USACE's on-site remediation activities. However, Article III.N of the MOU requires USACE to notify NRC at least 90 calendar days prior to expiration of USACE's authority to access the site – i.e., no later than July 2, 2015. USACE therefore submits this letter as the notification to NRC required under Article III.N of the MOU.

All interested parties share a desire to continue SLDA on-site remediation activities without disruption or delay. Toward that end, we continue to work in good faith with BWXT to reach a suitable agreement. I will inform you of our progress, and when a



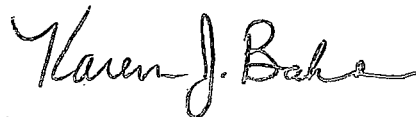
JUL 01 2015

2

mutually acceptable agreement is reached, I will promptly notify NRC in writing of the agreement's execution and of our ability and intent to continue with on-site remediation activities at SLDA.

We appreciate the NRC's consideration in this matter and share your agency's desire to ensure that the important public safety, environmental protection, and national security objectives reflected in Public Law 107-117 and the MOU are achieved. If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Karen J. Baker". The signature is written in dark ink and is positioned above the printed name and title.

Karen J. Baker
Acting Chief, Environmental Division
Directorate of Military Programs