

From: William G. Snell (WGS) *EIT*  
To: TCJ *T. Johnson, NMSS*  
Date: Wednesday, March 1, 1995 9:38 am  
Subject: Chevron/Engelhard

You questioned why we were not taking the lead for the "other buildings and areas" that were about 20% of the contamination. For the most part its politics. Engelhard was never an NRC licensee. When OGC said we had a basis for assuming responsibility for Chevron, they never said the same thing about Engelhard. Before we ever even knew the site was contaminated, the State of Ohio was informed that it was by DOE, and told by DOE that they (the State) and EPA had jurisdiction over the site. At that time the State requested Engelhard to register the site with the State, which Engelhard did, and that the State would work with Engelhard on the remediation of the site. This has been working quite well so far. Engelhard has already remediated and subsequently demolished one building, with the State overseeing the work and ensuring the remediation was done to NRC release limits. It was at about this stage that we got involved, essentially because Chevron did not want to register with the State, and came to the NRC asking who had jurisdiction over their building. When we took over Chevron, and Engelhard decided it was prudent to remediate the ground around Chevron's building concurrent with Chevron's remediation of the building, it seemed obvious for us to take the lead for both. Since the State had previously had the lead for Engelhard, we approached them to see if they were amenable to the idea. They agreed that it made sense for us to assume the lead. However, they did consider the success of their prior work with Engelhard and the good working relationship they had with them one of their better efforts. As such, they were somewhat reluctant to walk totally away from something that had been working quite well. With that in mind, we felt that if we took the lead for all the work to be done in conjunction with the Chevron building and the surrounding ground, the State could retain the lead for what was left. This was done in part because it has never been established that the NRC has jurisdiction over Engelhard to begin with, in part to maintain a good working relationship with the State, and with some thought to the fact that none of this work is fee recoverable for the NRC, and if the State has the (proven) capability to handle the work, why not let them.

As far as the timeliness of remediating the remaining buildings, the lease expires in early 1996. It is expected that the lease will not be renewed, in part due to a joint venture that has not worked out to well and both parties appear to want out. This is an off-the-record assumption, by someone from Engelhard, and of course, that could always change. However, we have already discussed the timeliness issue with both the State and with Engelhard as a way of encouraging them to remediate the entire site now. Unfortunately, the other reason they want to wait is that some of the walls will have to be demolished to effect an adequate remediate. Since these buildings are still occupied, that level of remediation couldn't be done until they were

vacated.

As an update, Engelhard said they hope to name their contractor by next week.

Bill

CC: GLS



**Chevron**

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April 6, 1995

**Chemical**

Environment & Health Protection  
6001 Bollinger Canyon Road  
San Ramon, CA 94583

Mr. Bill Snell  
United States Nuclear Regulatory Commission  
Fuel Cycle and Decommissioning Branch  
801 Warrenville Road  
Lisle, IL 60532-4351

**Harshaw Chemical Plant "C" Site**

Dear Mr. Snell:

Thank you for your timely review of our "Decommissioning Plan For Plant C". We recognize the gaps in the decommissioning plan and we have been evaluating expertise available to fill the gaps and to complete the decommissioning process. We have just completed our selection of a decontamination and decommissioning contract company and a technical consultant to assist us with the decommissioning of the Harshaw Chemical Plant "C" Site.

Our next steps are to complete the site characterization and the remediation plan by the end of May 1995 for submittal to the NRC for approval. If you have any comments or concerns with this timing, please contact me at 510-842-2578 or Bill Potter at 510-842-5882. Thank you again for your assistance on this project.

Sincerely,

*Steven D. LeRoy*

Steven D. LeRoy  
Environmental Projects Engineer

SDL:sdl

cc. R. W. Potter  
Andy Kopas - Englehard  
L. Max Scott - ADA Consultants

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