



P. O. Box 440777

Westlake, Ohio 44145-0616

February 7, 1997

Ms. Cynthia D. Pederson, Director  
Division of Nuclear Materials  
United States Nuclear Regulatory Commission  
Region III  
801 Warrensville Road  
Lisle, Illinois 60532-4351

RE: USNRC Letter to Mr. John Hughes, Elkem Metals, Dated 1/17/97  
Routine Inspection of Activities at Elkem Metals Company and  
Eveready Corporation Facilities Near Marietta, Ohio  
(NRC Inspection Report No. 040-07708/96001 (DNMS))

Dear Ms. Pederson,

Eveready Battery Company received the subject letter on January 27, 1997, and would like to take this opportunity to comment on the status of the decommissioning activities at the Elkem/Eveready facilities.

Eveready Battery was not aware of many of the NRC regulated activities at the former Union Carbide operational site on Elkem property until 1995. EBC's awareness was precipitated by the discovery of rad-waste cleanup material that was inadvertently stored on Eveready property by Union Carbide's cleanup contractor. This disclosure was a result of a property survey conducted by Eveready as part of a due diligence response for the planned sale of the Eveready property and related production operation.

The disclosure of rad-waste stored on our property and the consequences of the required testing, cleanup, and related confirmatory work have become a significant impediment to Eveready Battery Co.'s efforts to conduct meaningful and successful sale negotiations with prospective buyers over the last year and a half, due to the fact that our property is now under a "restricted use" status until these decommissioning activities are fully complete. The rad-waste residue cleanup, confirmatory sampling, reporting, etc. have now been done twice, and the pace of the required activities as currently being managed is painstakingly slow and non-responsive to Eveready's effort to sell its property.

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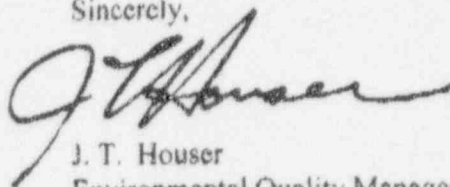


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Eveready Battery hereby requests that the NRC review more closely the status of the decommissioning activities associated with the Eveready property, with specific, expedited attention given to the final survey report (still not received from Union Carbide or its contractor, Norris Environmental), the timing and scheduling of the confirmatory survey by ORISE, and the final documentation from NRC that will release the Eveready property for unrestricted use.

Your timely attention and response to this matter is greatly appreciated. Please feel free to contact me at 216-835-7606 if you have any questions or concerns regarding this request.

Sincerely,



J. T. Houser  
Environmental Quality Manager

CC: D. H. Billings - Marietta  
S. Norris, RSO, Norris Environmental  
F.J. Talbot, Ohio Department of Health  
B.L. Jorgensen - Chief, Decommissioning Branch  
U.S. NRC, Region III  
S.G. Gilbert - Union Carbide Corp.  
So. Charleston, W. Va.  
Richard Melvin - Elkem Metals  
John Hughes - Elkem Metals