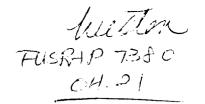


Department of Energy

Washington, DC 20585



APR 1 2 1991

Mr. Roger Boyd Ohio Environmental Protection Agency P.O. Box 1049 Columbus, Ohio 43266-0149

Mr. Kevin Driesbach Radiological Health Program Department of Health 1224 Kinnear Road Columbus, Ohio 43212

Mr. William Franz Federal Facility Coordinator EPA Region V 230 South Dearborn Street Chicago, Illinois 60604

Gentlemen:

The U.S. Department of Energy (DOE) established its Formerly Utilized Sites Remedial Action Program (FUSRAP) to (1) identify, through record searches, sites which were previously utilized by predecessor agencies, (2) evaluate the radiological condition of these sites to determine if they contain contamination from past activities of predecessor agencies, and (3) clean up sites, as needed, to conform with current radiological guidelines. DOE must have authority under the Atomic Energy Act to perform these activities, and the activities are contingent upon a finding that there is such authority.

The Magnus Brass Manufacturing Company of Cincinnati, Ohio, supplied uranium machining services to the U.S. Atomic Energy Commission (AEC) during the 1950s. After a review of the available records, DOE has determined that it lacks the authority under the Atomic Energy Act for any needed remedial action of the Magnus Brass facilities. A provision in the Magnus Brass Manufacturing Company's subcontract holds the government harmless from any liability or claims for the work that was performed. The authority review is enclosed for your information. It provides helpful background information concerning the sites and more fully explains the basis for DOE's decision.

DOE does not have any information concerning the present radiological condition of the sites, which are located at 533 Reading Road and 1029 West 7th Street in Cincinnati. The purpose of this letter is to inform you of

 ${\tt DOE's}$ finding and to notify you that ${\tt DOE}$ will eliminate these sites from further consideration under FUSRAP.

If you have any questions, please call me at 301-353-8149.

Sincerely,

W. Alexander Williams, PhD

Designation and Certification Manager

Off-Site Branch

Division of Eastern Area Programs Office of Environmental Restoration

Enclosure

cc:

R.P. Whitfield, EM-40 J. Baublitz, EM-40 bcc: Weston EM-40 (3) EM-42 (2) Williams reader

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