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David
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Department of Energy
Washington, DC 20545

AUG 15 1988

Mr. David B. B. Helfrey
Guilfoil Petzell & Shoemake
Attorneys at Law
100 North Broadway
St. Louis, Missouri 63102

Dear Mr. Helfrey:

Enclosed please find two copies of the revised survey consent form for the radiological survey of that portion of the Spectrulite Consortium, Inc., site that was used by DOW Chemical for the processing of uranium metal. We have incorporated a modified version of the addendum that contained your requested changes into the form. The Department of Energy General Counsel's review resulted in some simplification of the last clause to reflect its intent based on my interpretation of the concerns you expressed in our discussions of August 8, 1988.

If the site owner finds this consent form acceptable, please forward two signed copies to me. I will sign the forms and return one to you for your records. We would like to schedule the preliminary visit and screening survey of this site in conjunction with other surveys we will be conducting in the area. As a result, we would appreciate your response as soon as possible.

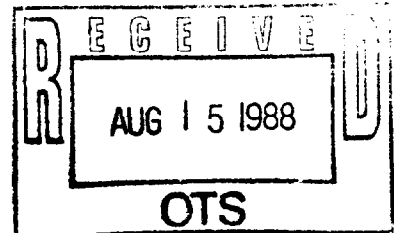
Please call me at 301-353-5439 if you have any questions.

Sincerely,

Andrew Wallo III, Designation
and Certification Manager
Division of Facility and Site
Decommissioning Projects
Office of Nuclear Energy

Enclosure (2)

cc:
J. T. Conroy
Spectrulite Consortium, Inc.
College and Weaver Streets
Madison, Illinois 62060



bcc:
W. Cottrell, ORNL
OTS/FUSRAP

NE-23
Wallo RF
NEG (4)

NE-23:AWallo:ph:353-5439:8/11/88:IBM:224/26
IBM:224/25 (Consent Form)

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CONSENT FOR PROGRAM ACCESS
SURVEYS AND ENGINEERING STUDIES

The undersigned persons (hereinafter individually and collectively referred to as "Owner") represent that they own the following property:

The following matters are understood by the Owner:

The United States of America (the "Government"), acting through the U.S. Department of Energy (DOE), will provide or contract for radiological surveys and engineering assessments for the following purposes: (1) DESIGNATION - determining if there is radiological contamination on the property for which DOE has authority and sufficient to require remedial action. If the property is designated for remedial action, the next step will be (2) CHARACTERIZATION - accurately defining the extent of contamination in order to design remedial action.

DOE shall be responsible for loss or destruction of, or damage to, the Owner's real and personal property caused by the activities of DOE, their authorized representatives, agents, contractors and subcontractors, in exercising any of the rights granted in this Agreement; PROVIDED, that such responsibility shall be limited to restoration of such real and personal property to a condition comparable to its condition immediately prior to the conduct of any activities on the Property by techniques of backfilling, seeding, sodding, landscaping, rebuilding, repair or replacement.

If the property is not designated for remedial action, this agreement will terminate upon completion of the designation survey. If the property is designated for remedial action, this agreement will remain in effect until completion of the characterization.

Nothing in this document shall be deemed to obligate the Owner to enter into an agreement for the performance of remedial action. No remedial action shall be performed until and unless (1) DOE shall have determined the need for and selected the appropriate remedial action, and (2) the DOE and Owners have entered into a written agreement providing for the performance of such remedial action.

By signing this document and sending it to the DOE, the Owners grant, effective _____, to the DOE and its contractors and subcontractors, such access to the Property as is reasonably required, and

at times satisfactory to the Owners, for the performance of the radiological surveys and engineering studies.

The radiological surveys and engineering studies will involve some or all of the following activities:

Reviewing existing building, structural, and site plans available to the Owner. Such plans shall be provided to DOE and its contractors, at no cost to the Owner. If such plans are not in the possession of the Owner but are available, the Owner agrees to permit the DOE and its representatives to borrow or acquire, at no cost to the Owner, those plans deemed necessary to facilitate the performance of these reviews.

Performing land surveys and placing survey stakes as required to characterize the premises, including any light clearing of vegetation that may be required.

Determining the location and extent of actual radioactive material on the premises through measurements by various techniques and/or removing samples of contaminated materials by digging or core drilling.

Measuring and examining the premises and structures thereon.

Documenting through photographs the existing conditions of the Property and structures thereon.

Taking radiation measurements and performing core drilling inside structures, in such a manner as is agreeable to the Owner; placing a small radiation monitor in the structures, and collecting a sample from the monitor periodically.

It is further understood that by signing this document the DOE expressly represents that the Survey and Engineering Studies including the designation and characterization will be limited to those areas formerly used for or effected by uranium extrusion and rod straightening by Dow Chemical Company and will be conducted for the sole purpose of determining whether or not the property contains radiological contamination resulting from the uranium extrusion and rod straightening activities performed by Dow Chemical Company for the Atomic Energy Commission under subcontract with Mallinckrodt Chemical Company during the 1950's and early 1960's. It is further warranted by DOE that said information will be used by DOE only as set out heretofore. The owner recognizes that DOE's final designation and characterization reports will be public documents and available on request. DOE warrants that it will limit the designation survey investigation to the collection of radiological data and other information necessary to determine if the subject site requires remedial action. DOE further warrants not to discuss or forward information on the site, other

than those relating to the radiological data and supporting information, to any organization, entity or individual unless authorized by law.

THE UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY

(Printed name of Property Owner(s))

(Name)

(Signature of Owner)

(Title)

Signature of Owner (if multiple)

(Date)

(Date) (phone)

If the signator is a corporation or a company, please complete the following:

CORPORATE CERTIFICATE

I, _____, certify that I am the duly qualified _____ of the corporation named herein as the consentor; that _____, who signed this consent form on behalf of the consentor, was then _____ of said corporation by authority of its governing body and is within the scope of its powers. Witness my hand and the seal of said corporation.

SEAL

Name Date