



DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
CIVIL WORKS
108 ARMY PENTAGON
WASHINGTON DC 20310-0108

JUL 02 2009

Honorable Byron L. Dorgan
Chairman, Subcommittee on Energy
and Water Development
Committee on Appropriations
United States Senate
Washington, D.C. 20510-3405

Dear Mr. Chairman:

This is to advise you of the Army's plan to not include the former Scioto Laboratory Complex located in Marion, Ohio, in the US Army Corps of Engineers (Corps) Formerly Utilized Sites Remedial Action Program (FUSRAP).

The Department of Energy requested the Corps evaluate eligibility of the Scioto Laboratory Complex by letter dated Oct 19, 1999. The letter indicated the Scioto sites were eligible for cleanup under FUSRAP based on early Atomic Energy Commission (AEC) work done at the sites. The Scioto Laboratory Complex provided the AEC with a contingency production capacity for polonium-beryllium neutron sources, to be used in the event that the production line at the Mound Laboratory in Dayton, Ohio, was not available. It is likely the Scioto facility never operated at all.

For an eligible site to be designated for cleanup, among other things, the Corps must verify site contamination with hazardous substances at a level sufficient to warrant a CERCLA response action, normally achieved by conducting a Preliminary Assessment. In addition, the hazardous substance contamination must have resulted from the Nation's early atomic energy programs, i.e., related to Manhattan Engineer District or Atomic Energy Commission activities. The Scioto Laboratory Complex did not meet these criteria. The Ohio Environmental Protection Agency and Ohio Department of Health concur with this finding.

Based on the FUSRAP criteria for cleanup, technical reports, and historical information, the Corps will recommend to the Department of Energy that no further work is necessary at the Scioto Laboratory Complex.

Identical letters are being sent to the Chairmen of the House and Senate Appropriations Committee and the House Appropriations Subcommittee on Energy and Water Development.

Very truly yours,

Terrence C. Salt
Acting Assistant Secretary of the Army
(Civil Works)

CF: Honorable Robert Bennett
Ranking Member