Pam/Tom/Bruce/Yvonne

Office of the County Executive

St. Charles County

Joe Ortwerth
County Executive

October 17, 2001

Ms. Pamela Thompson
Project Manager
United States Department of Energy
Weldon Spring Site Remedial Action Project
7295 Highway 94 South
St. Charles, MO 63304

RE: Long Term Stewardship
MDNR Doc. 09-27-01

Dear Ms. Thompson:

We have received and reviewed the above-referenced document on this subject prepared by Missouri Department of Natural Resources Director Mahfood and are compelled to offer the following remarks on behalf of St. Charles County Government.

As you know, we closely monitor developments through direct Division of Environmental Services staff involvement as well as information and interpretations provided by our Weldon Spring Citizens Commission (WSCC). We commend the overall remedial cleanup and site restoration progress and public communication of same and recognize the substantial project closure milestones recorded to date. We likewise appreciate the excellent working relationship developed between our staffs and the positive consideration of inclusion of County Government input into the various records of decision.

We are nonetheless concerned after evaluating the MDNR comments expressed in this recent correspondence and concur with some of the elements identified, if not necessarily the tone and tenor of the text. We wish to take the liberty of addressing these points for your consideration and response. For sake of clarity we are presenting our concerns by subject the way County Government views or defines the major project components.

- <u>Continuing Funding Mechanism</u>

  We believe one of the most critical components of Long Term Stewardship to be establishment of sustainable, long term funding source(s) assured by the federal government for routine post-closure maintenance and monitoring and contingency set asides. We recognize the organizational limitations inherent in defining this due to factors

Executive Office Building • 100 North 3rd Street • Suite 318 • St. Charles, MO 63301
Telephone 636-949-7520 • Fax 636-949-7521
E-mail address: countyex@mail.win.org

025524
OCT 19 2001

beyond DOE agency control including annual Congressional budgeting processes and inter-department bureaucracy. However, we feel it is prudent for DOE to establish and set in motion an ongoing operating and reserve budget request with stated commitment to automatically reintroduce revisions on an annual basis for OMB review, with no sunset process without concurrence of county and state governments.

- Protection of Public Drinking Water Supply System

As noted we are grateful for the cooperation and high level of sensitivity afforded this situation to date. Specifically, the exhaustive monitoring, delineation of hydrologic formations and modeling of data have been invaluable in validating the integrity of our alluvial production well field and supply system. Similarly we appreciate the pilot study and determinations reached regarding the isolation of residual quarry waste contaminants in the slough formation.

We believe it prudent to request a statement of commitment to include continuance of the well field/production system quality assurance testing program in the afore-described annualized federal budget process. Likewise the budget line items should define an ongoing contingency reserve in the unlikely but not impossible event of water production system contaminant impact.

- Institutional Property Controls

We realize this is an area that by nature is somewhat elusive in terms of near-perpetual projections. However, it does seem reasonable to delineate the current significant property tracts surrounding the WSSRAP zones and providing assurance of restrictive covenants in the recorded titles, using language and restrictions considered enforceable by present-day standards.

We realize the ownership and usage status of the vast majority of surrounding acreage makes this issue largely moot in the near term and hopefully for many generations to come, given the land in question is controlled by federal and state agencies, principally the U.S. Army and Missouri Department of Conservation. Nonetheless, we recommend legal language be incorporated in the form of inter-governmental agreements restricting future property transfer/sale options by these agencies and filed with the County Recorder of Deeds office to provide long-term assurance of this issue.

- Interpretive Center Partnership

We strongly support the concept of establishing and maintaining an interpretive center and associated public access facility for the reasons espoused by DOE. We would consider a direct partnering role in future management functions under auspices of a branch of County Government. We look forward to meeting on this issue in the near future to negotiate details.

- Surplus Property Disposition

  County Government is similarly interested in evaluating suitability of any remaining vacated modular building and related components for satellite operation uses, depending on results of negotiations with other interested parties such as the FHSD.

- Consolidated Long Term Stewardship (LTS) Document

  We recognize that many of the elements discussed both here and in the MDNR correspondence are either works in progress or included as portions of other published documents such as the various project ROD's (record of decision). However, we agree with the other stakeholders including our citizen commission and the state regulators, that a stand-alone text summarizing all agreements and implementation mechanisms pertaining to long term stewardship in the form of a ROD would be the most appropriate and useful vehicle for all concerned.

Thank you in advance for your consideration of our input in this vitally important matter. We look forward to your favorable response and fully expect to continue our valuable partnership as our governments embark on the stewardship mission of the DOE clean-up legacy program.

Sincerely,

Joe Ortwerth

Joe Ortwerth
St. Charles County Executive

JRO/kml

cc: Stephen Mahfood, Director, Missouri Department of Natural Resources
Doug Funderburk, Chair, St. Charles County Council
Richard Hampel, Chair, Weldon Spring Citizens Commission
Gil Copley, Director, St. Charles County Department of Community Health and the Environment
Mike Duvall, Director, St. Charles County Division of Environmental Services