

Mr. Richard Bangard, NRC
Washington DC

PAL
FCC
RHB
CA file

Subject: The Nuclear Regulatory Agency (NRC) vs. Joseph and Virginia Thompson, Burbank Ca.

In an Aug.14 article and Aug.20 lead editorial, the Los Angeles Times described the U.S. government's treatment of the Thompsons, owners of a Burbank industrial plant. Briefly, the Thompsons bought the property in the early 1960's from a company that used radioactive substances. The Atomic Energy Commission certified in 1961, in writing, that the area was free of contamination. Fast forward to 1996. The NRC now says it is indeed contaminated and the Thompsons must pay for cleanup. Now in their 80's and long retired, they face financial ruin after already spending a million dollars on this case.

This is old, cold news to the media, but not to Joe and Gini Thompson. They and their lawyers (Loeb and Loeb) fight an army of well-fed bureaucrats in State and Federal offices, all of whom deny responsibility of their employer. The governmental attitude is summed up by Paul Goldberg, an NRC manager, as quoted in the Times: "I really feel sorry for people like that," but "property owners have the legal responsibility to clean it up." So he's sorry; isn't that sweet? Not a word about successor corporations who bought out the original culprits. Or of the AOC, who wrote on Dec.8,1961: the plant areas "have been decontaminated and satisfy the criteria for transfer to unlicensed persons. The facilities may be leased or otherwise used at your discretion."

There is a much larger lesson to be learned here, about the awesome power of a presumably benevolent government to destroy lives, like squashing a bug. A 30 year old retroactive decision is all it takes. They can ruin you, me, any home or business owner. And you can't countersue; the feds are immune to such actions.

The trial of NRC vs. the Thompsons is scheduled for Jan.2001. Whatever the result, the million dollars in legal and engineering fees are not likely to be recovered.

On the personal side: The Thompsons have strongly supported the Salvation Army, Boy Scouts and helping the blind, among others, for over 40 years. Fiber Resin Corp. employed hundreds of Chicanos, African-Americans, Armenians etc over a like period. The business made substantial contributions to the aircraft industry, automotive, and our national defence. These achievements have no legal significance. The NRC will try to crucify Joe and Gini Thompson for the crime of owning property in Burbank. Justice and fairness don't enter into the picture.

Sept. 28, 2000



Andre B. Kerr
5370 Punta Alta Unit 2H
Laguna Hills, CA 92653

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OSP-006 *Amplate*
RIDS Code: SP08



UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON 25, D. C.

IN REPLY REFER TO:
I&R:IB:FEB

DEC 8 - 1961

Mr. William G. Arthur
Nuclear Corporation of America
3540 West Osborn Road
Phoenix, Arizona

Dear Mr. Arthur:

Our Compliance Division has confirmed that the facilities identified as the rear building and driveway at 170 West Providencia, Burbank, California, have been decontaminated and satisfy the criteria for transfer to unlicensed persons. The facilities may be leased or otherwise utilized at your discretion.

Very truly yours,

Cecil R. Buchanan

Cecil R. Buchanan
Assistant Chief, Isotopes Branch
Division of Licensing and
Regulation

NC 000341