

RAS
6688

ARLEN SPECTER
PENNSYLVANIA
COMMITTEES:
JUDICIARY
APPROPRIATIONS
VETERANS' AFFAIRS
GOVERNMENTAL AFFAIRS

□ 711 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510-3802
202-224-4254

DOCKET NUMBER
BYPRODUCTS 30-36239-ML

United States Senate

WASHINGTON, DC 20510-3802
specter.senate.gov

July 18, 2003

Dr. Niles J. Diaz, Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Diaz:

We have been contacted by residents of Milford Township in Bucks County, Pennsylvania regarding the licensing application of CFC Logistics/Gray*Star, Inc. relating to their proposed Cobalt-60 nuclear food irradiation plant.


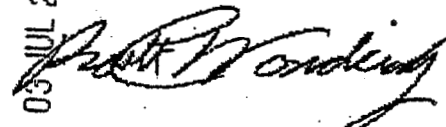
Residents have many questions and concerns about the proposed nuclear irradiation facility being located in their community. It is our understanding that your offices have received and are reviewing their request for a hearing on this matter. We believe it is important to allow the affected community's citizens to express themselves and be given the fullest possible disclosure of the facts about such a plant and measures being taken to assure their safety. We urge you to provide this community with the opportunity to present its concerns prior to issuing a license in this matter.

It is our hope that the NRC make every effort to consider these concerns in reviewing this licensing application and the related request for a hearing. Thank you for your prompt attention to this important matter.

Sincerely,



Arlen Specter
U.S. Senate

CHAIRMAN REC'D
JUL 21 10 10 AM '03

Rick Santorum
U.S. Senate


Robert Wonderling
PA State Senate

STATE OFFICES:
✓ 800 ARCH STREET, SUITE 9400
PHILADELPHIA, PA 19106
215-597-7200
□ SUITE 2031, FEDERAL BUILDING
PITTSBURGH, PA 15222
412-844-3400
□ ROOM 107, FEDERAL BUILDING
ERIE, PA 16501
814-453-3010
□ ROOM 1104, FEDERAL BUILDING
HARRISBURG, PA 17101
717-782-3851
□ ROOM 102, POST OFFICE BUILDING
ALLENTOWN, PA 18101
610-434-1444
□ 310 SPRUCE STREET, SUITE 201
SCRANTON, PA 18503
570-346-2006
□ ROOM 306, 116 SOUTH MAIN STREET
WILKES-BARRE, PA 18701
717-825-6265

DOCKETED
USNRC

August 4, 2003 (3:16PM)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

SERVED August 5, 2003



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

July 30, 2003

SECRETARY

The Honorable Arlen Specter
United States Senate
Washington, DC 20510

Dear Senator Specter:

This letter responds to your letter dated July 18, 2003, to Chairman Nils J. Diaz regarding the application by CFC Logistics, Inc., for a Nuclear Regulatory Commission (NRC) materials license to operate a cobalt-60 irradiator in Milford Township, Bucks County, Pennsylvania.

As you noted in your letter, a group of Milford Township residents has submitted a hearing request on that license application to the NRC. That request was filed on June 23, 2003, by counsel for Concerned Citizens of Milford Township. In accordance with NRC's procedures in 10 C.F.R. Part 2, Subpart L, the Chairman of the NRC Atomic Safety Licensing Board Panel has appointed a Presiding Officer to review the request for a hearing.

Under NRC rules, the Commission has an appellate role in all proceedings before its Atomic Safety and Licensing Boards or presiding officers. Because of that role, I trust that you will understand that the Commissioners must remain impartial during the pendency of a case, whether it is before a presiding officer or on appeal to the Commission. Therefore, it would be inappropriate for either Chairman Diaz or the other Commissioners to discuss or comment on any aspects of the proceeding now pending before the presiding officer.

However, the NRC staff in the first instance, is responsible for evaluating CFC's application for a license. The Commission has forwarded your letter to the staff for a separate response to you. In addition, we are placing your letter and this response in the docket file of the proceeding and providing it to all the parties.

Please feel free to contact me at 301-415-1969 if you have additional questions regarding this matter.

Sincerely,


Annette L. Vietti-Cook

cc: Service List for CFC Logistics, Inc.
proceeding



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

July 30, 2003

SECRETARY

The Honorable Rick Santorum
United States Senate
Washington, DC 20510

Dear Senator Santorum:

This letter responds to your letter dated July 18, 2003, to Chairman Nils J. Diaz regarding the application by CFC Logistics, Inc., for a Nuclear Regulatory Commission (NRC) materials license to operate a cobalt-60 irradiator in Milford Township, Bucks County, Pennsylvania.

As you noted in your letter, a group of Milford Township residents has submitted a hearing request on that license application to the NRC. That request was filed on June 23, 2003, by counsel for Concerned Citizens of Milford Township. In accordance with NRC's procedures in 10 C.F.R. Part 2, Subpart L, the Chairman of the NRC Atomic Safety Licensing Board Panel has appointed a Presiding Officer to review the request for a hearing.

Under NRC rules, the Commission has an appellate role in all proceedings before its Atomic Safety and Licensing Boards or presiding officers. Because of that role, I trust that you will understand that the Commissioners must remain impartial during the pendency of a case, whether it is before a presiding officer or on appeal to the Commission. Therefore, it would be inappropriate for either Chairman Diaz or the other Commissioners to discuss or comment on any aspects of the proceeding now pending before the presiding officer.

However, the NRC staff in the first instance, is responsible for evaluating CFC's application for a license. The Commission has forwarded your letter to the staff for a separate response to you. In addition, we are placing your letter and this response in the docket file of the proceeding and providing it to all the parties.

Please feel free to contact me at 301-415-1969 if you have additional questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Annette L. Vietti-Cook", is written over the typed name.

Annette L. Vietti-Cook

cc: Service List for CFC Logistics, Inc.
proceeding



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

July 30, 2003

SECRETARY

The Honorable Robert C. Wonderling
Pennsylvania State Senate
Senate Box 203024
Harrisburg, PA 17120

Dear Senator Wonderling:

This letter responds to your letter dated July 18, 2003, to Chairman Nils J. Diaz regarding the application by CFC Logistics, Inc., for a Nuclear Regulatory Commission (NRC) materials license to operate a cobalt-60 irradiator in Milford Township, Bucks County, Pennsylvania.

As you noted in your letter, a group of Milford Township residents has submitted a hearing request on that license application to the NRC. That request was filed on June 23, 2003, by counsel for Concerned Citizens of Milford Township. In accordance with NRC's procedures in 10 C.F.R. Part 2, Subpart L, the Chairman of the NRC Atomic Safety Licensing Board Panel has appointed a Presiding Officer to review the request for a hearing.

Under NRC rules, the Commission has an appellate role in all proceedings before its Atomic Safety and Licensing Boards or presiding officers. Because of that role, I trust that you will understand that the Commissioners must remain impartial during the pendency of a case, whether it is before a presiding officer or on appeal to the Commission. Therefore, it would be inappropriate for either Chairman Diaz or the other Commissioners to discuss or comment on any aspects of the proceeding now pending before the presiding officer.

However, the NRC staff in the first instance, is responsible for evaluating CFC's application for a license. The Commission has forwarded your letter to the staff for a separate response to you. In addition, we are placing your letter and this response in the docket file of the proceeding and providing it to all the parties.

Please feel free to contact me at 301-415-1969 if you have additional questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Annette Vietti-Cook", is written over the typed name.

Annette L. Vietti-Cook

cc: Service List for CFC Logistics, Inc.
proceeding

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
CFC LOGISTICS, INC.)	Docket No. 30-36239-ML
QUAKERTOWN, PENNSYLVANIA)	
)	
(Materials License))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LETTER RE CFC LOGISTICS FROM SENATORS SPECTER, SANTORUM AND STATE OF PA SENATOR WONDERLING AND THE RESPONSES OF THE SECRETARY THERETO have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Michael C. Farrar
Presiding Officer
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Charles N. Kelber
Special Assistant
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

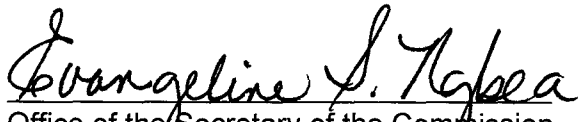
Dennis C. Dambly, Esquire
Office of the General Counsel
Mail Stop - O-15 D21
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Robert J. Sugarman, Esquire
Sugarman & Associates, PC
Robert Morris Building - 11th Floor
100 North 17th Street
Philadelphia, PA 19103

Anthony J. Thompson, Esquire
Christopher S. Pugsley, Esquire
Law Offices of Anthony J. Thompson, P.C.
1225 19th Street, NW, Suite 200
Washington, DC 20036

Mr. James Wood
President
CFC Logistics, Inc.
400 AM Drive
Quakertown, PA 18951

Docket No. 30-36239-ML
LETTER RE CFC LOGISTICS FROM SENATORS
SPECTER, SANTORUM AND STATE OF PA SENATOR
WONDERLING AND THE RESPONSES OF THE
SECRETARY THERETO


Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 5th day of August 2003