

EDO Principal Correspondence Control

FROM: DUE: 09/17/03 EDO CONTROL: G20030530
DOC DT: 09/05/03
FINAL REPLY:

Representative Robert Andrews

TO:

Chairman Diaz

FOR SIGNATURE OF : ** PRI ** CRC NO: 03-0575

Chairman Diaz

DESC:

Gloucester Environmental Management Services
Landfill

ROUTING:

Travers
Norry
Paperiello
Kane
Collins
Dean
Burns/Cyr
Miller, RI

DATE: 09/05/03

ASSIGNED TO:

CONTACT:

NMSS

Virgilio

SPECIAL INSTRUCTIONS OR REMARKS:

**OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET**

Date Printed: Sep 05, 2003 14:05

PAPER NUMBER: LTR-03-0575 **LOGGING DATE:** 09/05/2003
ACTION OFFICE: EDO

AUTHOR: REP Robert Andrews
AFFILIATION: REP
ADDRESSEE: CHRM Nils Diaz
SUBJECT: Concerns the Gloucester Environmental Management Services landfill

ACTION: Signature of Chairman
DISTRIBUTION: RF, OCA Ack

LETTER DATE: 09/05/2003
ACKNOWLEDGED No
SPECIAL HANDLING:

NOTES:
FILE LOCATION: ADAMS

DATE DUE: 09/19/2003 **DATE SIGNED:**

EDO --G20030530

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Congress of the United States
House of Representatives
Washington, DC 20515-3001

X 2435 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-8501

□ 506-A WHITE HORSE PIKE
HADDON HEIGHTS, NJ 08033
(856) 548-8100

□ 83 NORTH BROAD STREET
WOODBURY, NJ 08098
(609) 648-3300

E-MAIL:

rob.andrews@mail.house.gov

September 5, 2003

Chairman Nils J. Diaz
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Chairman Diaz:

I write to you about the Gloucester Environmental Management Services landfill, a highly contaminated site in my district and request the involvement of the Nuclear Regulatory Commission (NRC) to ensure that identified radioactive materials will not endanger public health.

As you know New Jersey is a NRC "non-agreement state." Since the NRC exercises regulatory authority over Atomic Energy Act (AEA) materials in those States that do not have agreements, I believe that the NRC has an obligation to verify that radionuclides in the landfill are *not* AEA materials. Although I understand that radionuclides found in the landfill may possibly be naturally occurring, I have not seen a sufficient finding of fact to support this conclusion. To the contrary, sample results reported in the Report on Radiological Data for GEMS Landfill Groundwater by Wesley K. Van Pelt Associates, Inc. call into question the issue of naturally occurring contamination. Of particular concern are elevated levels of uranium.

Additionally, as part of your investigation I request that you certify that none of the Primary Responsible Parties is or has been a NRC licensee. By learning more about the 200+ organizations responsible for contamination of the landfill, policy makers and the community will be in a better position to evaluate the most sound remediation option.

Thank you for your consideration of my request. If you have any questions please do not hesitate to contact me or my aide, Robert Knotts.

Sincerely,



Robert Andrews
Member of Congress

REA:rk