



UNITED STATES  
**NUCLEAR REGULATORY COMMISSION**  
REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

September 29, 2005

Docket No. 04008980  
Control No. 136715

License No. SMB-1541

Edele Hovnanian  
Sr. Executive Vice President  
Hovnanian Industries  
4000 Route 66  
Tinton Falls, NJ 07753

SUBJECT: NRC STAFF DOSE ASSESSMENT OF HERITAGE MINERALS, INC. SITE

Dear Ms. Hovnanian:

This letter is in reference to your letter dated March 4, 2005, requesting termination of your U.S. Nuclear Regulatory Commission (NRC) license and release of the Heritage Minerals, Inc. (HMI) site for unrestricted use. This letter also outlines the next NRC staff actions that must be completed to be consistent with NRC policies, and provides the NRC staff dose assessment of the HMI site.

Under 10 CFR 20.1401(b)(3), "grandfathered" sites, such as the HMI site, are required to meet the criteria outlined in the former Site Decommissioning Management Plan (SDMP), SECY-92-106, under which cleanup criteria is based on residual contamination levels. Remediation is considered complete when the actions described in the approved Decommissioning Plan are completed.

In SRM-SECY-97-015, NRC staff was directed to assess the potential dose from residual radioactivity at grandfathered sites when decommissioning activities are complete. In addition, as stated in SECY-98-155, the NRC staff is required to seek Commission approval prior to releasing grandfathered sites for unrestricted use when the potential dose from residual radioactivity, after completing decommissioning, exceeds 25 mrem/yr.

In accordance with these policies, NRC staff has performed an assessment of the potential dose from residual radioactivity at the current HMI site (Enclosure 1). As described in our September 14, 2005 letter to you, the results of this assessment are being provided to you and other interested parties for review and comment for 30 days from the date of this letter. During this time, you may also request to discuss your comments with NRC staff in a meeting, which would be open to the public. The dose assessment is also available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

E. Hovnanian  
Hovnanian Industries

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Following the 30-day comment period, NRC will consider comments we receive on the dose assessment as the staff develops its recommendation for the Commission. Please forward all comments and questions on the dose assessment and/or the review process to Marjorie McLaughlin of my staff, at 610-337-5240.

Thank you for your cooperation.

Sincerely,

***Original signed by Marie Miller***

Marie Miller, Chief  
Decommissioning Branch  
Division of Nuclear Materials Safety

Enclosure:  
NRC Staff Dose Assessment of Heritage Minerals, Inc. Site (ADAMS Accession No. ML052410061)

cc:  
Michael Fressola, Mayor, Manchester Township, New Jersey  
Jill Lipoti, Ph.D., NJDEP  
John F. Lord, HMI  
Anthony Thompson, Esquire  
Gerald Williams, ENERCON

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**SISP Review Complete: (MMM)**

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DATE	9/28/2005		9/28/2005		9/29/2005			

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