



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20540-0001

July 18, 1995

The Honorable Robert W. Ney  
United States House of  
Representatives  
Washington, DC 20515-3518

Dear Congressman Ney:

I am responding to your letter of June 22, 1995, to Mr. Robert Nelson of my staff, which forwarded a letter from one of your constituents, Mr. Sherwood Bauman, Chairman of the Save the Wills Creek Water Resources Committee (SWCWRM). In his letter to you, Mr. Bauman raised concerns regarding the Shieldalloy Metallurgical Corporation (SMC) site in Cambridge, Guernsey County, Ohio. In your letter, you expressed support for SWCWRM's request for: (1) a public meeting to discuss a change in scope to the environmental impact statement (EIS) for the SMC site; and (2) extending the committee's review period for related documents. With respect to the Environmental Impact Statement (EIS), we expect to publish a notice in the Federal Register within the next two weeks discussing the change in scope. We will forward a copy of this notice to Mr. Bauman as soon as it is published.

This change to the EIS will not affect the analysis of the other alternatives in the EIS nor will it commit the U.S. Nuclear Regulatory Commission to a particular course of action at this site. The change will simply add a new alternative for analysis. Because of SMC's bankruptcy proceeding and the potential impact of the EIS on SMC's reorganization plan, the development of the EIS must proceed on an expedited schedule. Delaying the decision to expand the scope of the EIS to hold a public meeting would negatively impact this schedule and could impact SMC's reorganization. In addition, we will not have the types of information Mr. Bauman seeks until we have completed the draft EIS. After carefully weighing all of this information, we believe that it is appropriate to discuss the change in EIS scope during a public meeting which is already planned for September 1995 in the Guernsey County area to discuss efforts to characterize the slag that has been found off-site. We had committed to conduct this meeting in the spring of 1995, but had to delay it because of delays in the responsible party's assessment of the off-site contamination.

After evaluating SWCWRM's request for a 60-day review period, we believe that providing such a review period for all documents would have consequences similar to those discussed for the public meeting. However, there will be a 90-day public comment period after the draft EIS is published. We believe that this process will provide ample opportunity for public comment while meeting the requirements of an expedited development schedule.

We have taken several actions to facilitate public review of documents related to decommissioning the SMC, Cambridge, site. For example, we have established a local public document room (LPDR) in Cambridge, Ohio, to which all related public correspondence and reports received, or issued by NRC, are sent. In addition, Mr. Bauman is included on our distribution list for all

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The Honorable Robert W. Ney

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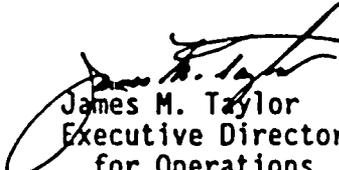
correspondence issued by NRC related to this docket. Mr. Bauman has also been informed of our open meeting policy and the procedures for accessing information concerning NRC meetings with SMC. Finally, we welcome comments from all members of the public, including SWCWRC, and consider these comments in our reviews.

It is important to note that most of the documents prepared within the last six months relating to this site have been developed by SMC for the Ohio Environmental Protection Agency (OEPA). We have placed a copy of each of these documents in the LPDR as they have been received by NRC, and we have advised Mr. Bauman that he should consult with OEPA concerning the review of these documents. To this end, we have identified to Mr. Bauman the appropriate point of contact at OEPA and we have kept OEPA informed of our discussions with Mr. Bauman.

I am enclosing some background information on the SMC, Cambridge, site to facilitate your review of this response.

I trust that this letter responds to your concerns.

Sincerely,

  
James M. Taylor  
Executive Director  
for Operations

Docket No.: 040-08948  
License No.: SMB-1507

Enclosure: As stated

cc: Shieldalloy, Cambridge  
dist. list

EDO Principal Correspondence Control

FROM:

DUE: 07/14/95

EDO CONTROL: 0000478  
DOC DT: 06/22/95  
FINAL REPLY:

Rep. Robert W. Ney

TO:

Robert Nelson, NMSS

FOR SIGNATURE OF :

\*\* GRN \*\*

CRC NO:

Executive Director

DESC:

ROUTING:

ENCLOSES LETTER FROM SHERWOOD BAUMAN, SAVE THE  
WILLS CREEK WATER RESOURCES COMMISSION RE  
SHIELDALLOY SITE IN GUERNSEY COUNTY, OHIO

Taylor  
Milhead  
Thompson  
Blaha  
Morrison, RES.  
Cyr, OGC  
SECK  
OCK

DATE: 06/27/95

ASSIGNED TO:

CONTACT:

NMSS

Paperella

SPECIAL INSTRUCTIONS OR REMARKS

cc: Tom  
Tom  
J

BOB NEY  
18TH DISTRICT OHIO  
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MAIL ROOM  
GENERAL AFFAIRS  
HOUSE OFFERS UNIT  
DIP. STAFF

Congress of the United States  
House of Representatives  
Washington, DC 20515-3318  
June 22, 1995

Robert Nelson  
Nuclear Regulatory Commission  
Decommissioning Branch  
11555 Rockville Pike  
Rockville, Maryland 20852

Dear Mr. Nelson:

Enclosed, please find a copy of a letter I received from Mr. Sherwood Bauman, Chairman of Save the Wills Creek Water Resource's Commission (SWCWRC). Mr. Bauman is writing regarding his concerns with the Shieldalloy site in Guernsey County, Ohio.

As I understand, the Decommissioning Branch of the Nuclear Regulatory Commission (NRC) will be announcing that the Environmental Impact Statement (EIS) is being changed to include the return and storage of off-site waste to the original site. The SWCWRC is requesting a public hearing on this matter to discuss and understand the ramifications of this change. I support a public informational hearing so the group can base their comments on a position of understanding.

Also, I understand that all the questions asked may not be quickly answered. At this time the SWCWRC has a 30 day comment period to review a substantial amount of documents after your response. Again, I support extending that period to a 60 day review period.

Thank you for taking the time to review this matter. If I can be of further assistance regarding this matter, please do not hesitate to contact me.

Sincerely,

Robert W. Ney  
Member of Congress

RWN/msr  
cc: Sherwood Bauman

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EDO --- 000478

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614-676-1583 FAX

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614-283-1915 FAX

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216-364-7875 FAX

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614-452-1200  
614-452-1201 FAX

To Congressman Bob Ney  
attn Dave H.

From Sherwood (forest) Bauman  
Save the Wills Creek Water Resource's Com.  
6354 Cowgill Lane  
Cumberland, Ohio 43732

Reas Shieldalloy site....changing of EIS, and the NRC's refusal to grant a public hearing.

Dear Congressman Ney:

*Nuclear  
Regulatory  
Commission*

As you are aware, we in Guemsey county Ohio are faced with the reality of 600,000 tons of Radioactive slag which was \*wrongfully\* dumped into a wetlands. In addition to this, our organization has just learned from Robert Nelson of the Decommissioning Branch of the NRC in Washington DC, that they will be releasing in the form of a public notice in the Federal Registry and announcement that the scope of the EIS (environmental impact statement) is being changed to include the return and storage of off site waste to the site.

1. It is our opinion, that this would completely changes the scores and properties of the decommissioning document, and because of this we feel that we as citizens should be given a chance to see a \*new\* decommissioning document that would properly represent the new scoring placements.
2. Such and addition is a \*major\* change to the EIS, and we feel that before we submit comments, we need to understand the ramifications of suggested change, and therefore requested a \*formal public meeting\* where this change and what it entails is explained, so that our comments on it would be based from a position of understanding, instead of from one of speculation and heresy. The NRC stated that it is thier intention not to have a \*PUBLIC MEETING\* as it is not warranted and they do not have to grant one since it is optional.
3. Additionally, after speaking with Environcare out in Utah, we have learned that Shieldalloy NEVER contacted Environcare for price quotes for thier off site disposal options, even though they claim that the cost to ship and dispose of the waste at thier site would cost some 450 million dollars. We have learned, that the company's volume's would qualify them for the Federal Governments volume discount prices, and therefore the COMPANY has overstated the cost of this option by over FIVE HUNDRED PERCENT.

We are asking you to do two things on our behalf.

1. Request that we the citizens recieve a public meeting on this change to the EIS, and then be given 60 days to review the 1,000's of pages of documents and comment on same.
2. Open up a Congressional investigation into how it is that and NRC licensee is allowed to over state privs of clean up and remediation by some 500 percents, how it is that one licensee Cypress Amax is being allowed to duck out from under thier \*legal\* responsibility, and how it is that the NRC could actually lose track of 600,000 tons of licensable waste for 12 years with not even so much as and inspection being done, or questions being asked when the licensee in 1975 did not apply for re-application.

We thank you in advance for this action, and look forward to your quick repsonce as time is of the effort Chris Kline in Senator Glenn's office is also working on this, and you might want to take a look at thier office's GAO report and questions. Should you need additional information, or need to clarify things, please do feel free to call our chairperson at (614) 638-2529

Respectfully Requested-Sherwood (forest) Bauman Chairperson

**CONGRESSIONAL CORRESPONDENCE SYSTEM  
DOCUMENT PREPARATION CHECKLIST**

*This check list is to be submitted with each document (or group of Qs/As) sent for processing into the CCS.*

1. BRIEF DESCRIPTION OF DOCUMENT(S) Ans to Rep. Noy
2. TYPE OF DOCUMENT  CORRESPONDENCE  HEARINGS (Qs/As)
3. DOCUMENT CONTROL  SENSITIVE (NRC ONLY)  NON-SENSITIVE
4. CONGRESSIONAL COMMITTEE AND SUBCOMMITTEE (if applicable)  
\_\_\_\_\_ Congressional Committee  
\_\_\_\_\_ Subcommittee
5. SUBJECT CODES  
(A) \_\_\_\_\_  
(B) \_\_\_\_\_  
(C) \_\_\_\_\_
6. SOURCE OF DOCUMENTS  
(A) \_\_\_\_\_ 5520 (DOCUMENT NAME \_\_\_\_\_)  
(B) \_\_\_\_\_ SCAN (C) \_\_\_\_\_ ATTACHMENTS  
(D) \_\_\_\_\_ OTHER \_\_\_\_\_
7. SYSTEM LOG DATES  
(A) 6/1/95 DATA OCA SENT DOCUMENT TO CCS  
(B) \_\_\_\_\_ DATE CCS RECEIVED DOCUMENT  
(C) \_\_\_\_\_ DATE RETURNED TO OCA FOR ADDITIONAL INFORMATION  
(D) \_\_\_\_\_ DATE RESUBMITTED BY OCA TO CCS  
(E) \_\_\_\_\_ DATE ENTERED INTO CCS BY \_\_\_\_\_  
(F) \_\_\_\_\_ DATE OCA NOTIFIED THAT DOCUMENT IS IN CCS

COMMENTS:

SHIELDALLOY METALLURGICAL CORPORATION  
CAMBRIDGE, OHIO

Introduction

Shieldalloy Metallurgical Corporation (SMC) owns and operates a facility near Cambridge, OH, which processes ores for the production of metal alloys. SMC possesses a license (SMB-1507) issued by the U.S. Nuclear Regulatory Commission that authorizes the possession of the radionuclides uranium and thorium as a contaminant in slag from previous operations at this site. The previous owners (Vanadium Corporation of America, now Newmont Mining Corporation, and Foote Mineral Company, now Cyprus Foote Mineral Company) had processed an ore containing licensable quantities of natural uranium and thorium, and radionuclides resulting from their radioactive decay. The processing of this ore started in the late 1950s and ended in the early 1970s. In processing this ore to produce metal alloys, the radioactive material contained in the ore was segregated into slag. The waste slag is currently in a dense, rock-like form and stored in two piles on the site. In 1987, SMC purchased the facility from Foote Mineral Company. SMC continues to process ores for the production of metal alloys. However, these ores do not contain licensable quantities of radioactive material.

Description of the Radioactive Waste Slag Piles

- A. West Pile - This pile consists of approximately  $4.4 \times 10^5$  tons ( $2.7 \times 10^6$  kg) of slag and soil covering 7.6 acres. The principal radionuclide contaminants are thorium-232, uranium-238, and radium-226. The top of the pile is composed of at least 1-3 meters of cover material consisting of Chemfix (a clay-like material), a geotextile cover material, and approximately 15-20 centimeters of sand. The complete cap, composed of all three constituents, covers only the top of the West Pile. Some parts of the shoulder are not completely covered and slag buttons are used as anti-erosional riprap in these areas.
- B. East Pile - This pile is uncovered and consists of approximately  $9.0 \times 10^6$  tons ( $8.2 \times 10^7$  kg) of slag covering 2.6 acres with the same principal radionuclide contaminants.

Environmental Impact Statement

Decommissioning of this site has been in progress since 1987. With the exception of radioactive contamination that exists in, or originated from, the two slag piles, SMC has remediated the radioactive contamination at the site. In 1993, SMC proposed to NRC that the slag piles be stabilized onsite as part of the decommissioning process. On November 26, 1993, NRC published in the Federal Register (58 FR 62384) a Notice of Intent (NOI) to prepare an environmental impact statement (EIS) for the proposed stabilization of the slag piles and to conduct scoping for the EIS. The scoping process has been completed and an EIS Scoping Process Summary Report was issued in May 1994. The EIS has been under development since that time. The development of the draft EIS has been delayed pending receipt of additional site and waste

Enclosure

draft EIS has been delayed pending receipt of additional site and waste characterization information from the licensee.

Remedial Investigation/Feasibility Study (RI/FS)

At the request of the Ohio Environmental Protection Agency (OEPA), the Attorney General's Office (AGO) for the State of Ohio has prepared a Consent Order for Preliminary Injunction (COPI) concerning the remediation of hazardous wastes, industrial wastes, water pollution and other wastes associated with the Cambridge facility. Some of these wastes may be located in two slag piles. The parties have agreed in principle to sign this Consent Order. Under the terms of this COPI, an RI/FS is underway at this site. Because the RI/FS is expected to result in information needed by NRC to develop the EIS, NRC staff is participating in discussions between SMC and OEPA concerning the development of the RI/FS for this site.