

BOB NEY

18TH DISTRICT, OHIO
1806 LONGWORTH H O B
WASHINGTON, DC 20515
(202) 225-8218
(202) 225-3384 FAX
E-MAIL: bobney@ny.house.gov



COMMITTEES
BANKING AND FINANCIAL
SERVICES
VETERANS' AFFAIRS
HOUSE OVERSIGHT
DEPUTY WHIP

Congress of the United States
House of Representatives
Washington, DC 20515-3518

May 3, 1996

Robert A. Nelson, Acting Chief
Low-Level Waste & Decommissioning Projects Branch
Division of Waste Management
Office of Nuclear Material Safety & Safeguards
US Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Mr. Nelson:

Please find enclosed correspondence that I have received from Mr. Sherwood Bauman, who is a constituent from Cumberland, Ohio. Mr. Bauman is writing in regard to the Nuclear Regulatory Commission's (NRC) work on the Environmental Impact Statement (EIS) at the Shieldalloy site.

Mr Baughman would like NRC to delay the release of the final draft of the EIS until a time when the underlying documents have been completed. More specifically, he would like the OEPA's RI/FS and Preferred Plan to be completed and integrated into NRC's final EIS draft before it is released. If this is not possible, I would ask that Mr. Baughman's request that NRC give every consideration to the OEPA's RI/FS and Preferred Plan in the final version of the EIS.

Thanking you in advance for your consideration. If I may ever be of assistance to you in the future, please don not hesitate to contact me.

Sincerely,

Bob Ney
Member of Congress

RWN/djh
enc.
cc: Sherwood Baughman

9606030115 960524
PDR ADOCK 04008948
C PDR

A/3
EDO -- GT96313

DISTRICT OFFICES

3201 BELMONT STREET
ROOM 804
BELLARE, OH 43806
(614) 678-1980
(614) 678-1983 FAX

600 MARKET STREET
ROOM 810
STEUBENVILLE, OH 43952
(614) 283-3718
(614) 283-1915 FAX

MILTON FARMFIELD BUILDING
152 2ND STREET, NE
NEW PHILADELPHIA, OH 44663
(216) 364-6380
(216) 364-7875 FAX

225 UNDERWOOD STREET
SUITE 4000
ZANESVILLE, OH 43701
(614) 452-7023
(614) 452-7191 FAX

Attn: Chris Kline

Please find below a letter that we have sent to the Governor in regards to a very pressing issue. Knowing that Senator John Glenn is supportive of environmental groups in regards to LLRW issue's, I am sending this to your office in the hopes that the Senator would ask the United States Senate and House to pass resolutions which would endorse the position outlined in this letter. It is imperative that the NRC be kept from making a mockery of public involvement process. Should you have any questions, please feel free to call me at (614) 638-2529. We are hoping for the Senator's support in this very important issue to our community and the state as a whole.

Sherwood

To: Governor George Voinovich
77 South High St. (30th floor)
Columbus, Ohio 43215

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

Reas: Request for a proclamation.....outline of the underlying reasons for said request.

Dear Governor Voinovich:

We here in Guernsey county, Ohio have 600,000 tons of radioactive slag and various chemical contaminants sitting in the middle of a wetland that drains downgradient into the communities drinking water supply. Beginning with a public scoping meeting held in December of 1993, the Nuclear Regulatory Commission has been conducting and Environmental Impact Study (EIS) to evaluate the company's preferred plan for insitu disposal. (capping and leaving on site) In conjunction with the NRC, the state of Ohio's EPA has been working as a cooperating agency on a Remedial Investigation/Feasibility Study which would allow them to issue forth the states Preferred Plan in dealing with the site. (RI/FS)

Said RI/FS is more than likely going to be completed by the end of this month, though the Preferred Plan will still have to be completed. At such a time as the dual state documents are completed, the state will issue notice, hold a public meeting in our community, and then provide a comments period. After a thorough review of *all* comments has been completed, the director of the Ohio EPA would then sign off on said document if it were decided that no additional areas of concern needed to be addressed. However, dependent upon those comments, the RI/FS is subject to change up until such time as the director does sign off on it.

The EIS that the NRC is conducting is required to include the information gathered within the scope of said RI/FS. Said RI/FS is and underlying, supporting document to the NRC's EIS. Despite this fact, the NRC is planning on releasing their agencies EIS prior to the completion of the state's completion of the RI/FS. Said premature release:

1. Denigrates and mocks the public participation process.
2. Ignores the fact that the RI/FS could change thus changing the EIS and the scoring of the various disposal options found therein.
3. Denies the public of the affected community access to and full understanding of *all* underlying documents used in the creation of said EIS. How can we fully understand and comment on a document if we do not yet have access to all the completed underlying documents.
4. In light of Ohio's status of soon to be agreement state with the NRC, we stand to inherit the long term responsibility and costs of perpetual care at this site. Therefore, releasing the EIS before the state has signed

off on the RI/FS would allow the NRC to prematurely approve a disposal option that the states document could show is unacceptable, thus unfairly saddling our state with enormous long term care costs.

In light of this, it is our organizations hope that all levels of state government and the various cooperating agencies involved in the EIS will endorse and request of the NRC, that the release of the final draft EIS be held off until such time as "all" underlying documents have been completed and signed off upon including and most specifically the state of Ohio EPA's RI/FS and Preferred Plan. We are therefore requesting that you as our governor issue and official proclamation requesting that the NRC hold off on the release of the EIS until all underlying documents have been completed. We believe that this is the only fair way to preserve the integrity of the public participation process, as well as our states very real interests in the remediation plan chosen for this site.

Respectfully Submitted

Sherwood (Forest) Bauman

OHIO Environ. Council
has endorsed and supports
this piece of work as his
phone conv. 1¹⁵ p 4-8-96

R-