

RAS 12907

**From:** <Foxragone@aol.com>  
**To:** <hearingdocket@nrc.gov>, <klk@nrc.gov>, <vancampt@njtown.net>, <patricia.gardner@dep.state.nj.us>, <ogcmailcenter@nrc.gov>, <dsmith@shieldalloy.com>  
**Date:** Mon, Jan 15, 2007 4:13 PM  
**Subject:** request for a hearing

January 15, 2007

TO: Office of the Secretary  
 U.S. Nuclear Regulatory Commission  
 Washington, D.C. 20555-0001  
 ATTN: Rulemakings & Adjudications

and

Ken Kalman  
 Project Manager  
 Decommissioning Directorate  
 Div. of Waste management & Environmental Protection  
 Office of Federal & State Materials and Environmental Management Programs  
 U.S. Nuclear Regulatory Commission  
 Rockville, MD 20852

DOCKETED  
 USNRC

January 16, 2007 (8:00am)

OFFICE OF SECRETARY  
 RULEMAKINGS AND  
 ADJUDICATIONS STAFF

Docket No. 40-7102-ML

This letter is in behalf of the residents of Newfield, New Jersey and contiguous regional neighbors, to request a public hearing concerning the Decommissioning Plan currently under review by the U.S. Nuclear Regulatory Commission.

In accordance with 10 CFR 2.309(b)

1. Requester: Terry Ragone, White Dove Lane P.O. Box 605 Newfield NJ 08344

Ph: 856.697.9764 Fax: 856.697.4364 e-mail: foxragone@aol.com

2. The requester has a right under the Act to made party to the proceeding, as a resident living within 2 miles of the SMC site having followed the SMC history for over 13 years and co-founded a citizen group, The Newfield Residents Environmental Group.

3. The requester is a property owner near by the site, as are most of the other residents in one square mile boundary of Newfield. Newfield is a multi-ethnic community.

4. Possible effects of any decision by the NRC will directly impact real estate values, and the Borough's ability to sustain a viable tax base as well as cause unanticipated adverse environmental or health and well-being issues to surface.

5. This request is in timely accordance.

Contentions:

The community's contentions fall within the economic, social and environmental concerns which are within the scope of the review proceedings.

Technical/environmental:

At the recent NRC Scoping Meeting 12/06, a representative from the NJ State DEP spoke about the unusual precedent of establishing a low level radioactive waste site in a densely populated area. This measure would call for a

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variance of the NRC's present guideline's concerning a manufacturer's monitoring of their own pollution. We respectfully request more time to pursue this line of reasoning, get all the facts, which we do not have at present, in order to have an informed opinion whether the proposed alternative is viable. The 60 days provided the NRC has not been enough to amass pertinent information or "expert opinions" in support of our contentions. Additional time prior to a public hearing may facilitate this.

**Environmental/Misc:**

The contention that the dump site will inevitably cause economic hardship is almost undisputable. Already the small Borough is unable to sustain a viable tax base having lost revenue from SMC's 70+ acres. As the Borough will begin to seek more services and outside support from larger contiguous townships and cities, the very uniqueness of its present "town meeting" style of small governance is threatened.

This very American tradition is rapidly becoming an endangered species. To local residents, many of them several generations, this independent Borough government is an important aspect of how they constitute their sense of community. In this regard a certain socio-political fabric of the small community will be impacted.

In terms of a "material issue of law" the Borough of Newfield passed a Resolution (#31-94) in 1994 in which it stated that "The Borough Council opposes the siting of a radioactive waste storage facility and an increase by further outside accumulation of radioactive waste materials at SMC plant in the Borough of Newfield." Although, to our knowledge, no outside waste was brought to the site, additional accumulation of in-house waste was permitted by the NRC to mount. It is the Newfield residents intent to have more information on local and State laws in this regard.

**Documents available:**

The quote from Patricia Gardner at the Scoping Meeting 12/5/06 is in the NRC's public record. Resolution #13-94 is registered in Newfield NJ Borough Hall.

Documents and other information in support of contentions will be sought by the time of the public hearing.

**Request Submitted by**

**Terry Ragone**

**1/15/07**

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**Subject:** request for a hearing  
**Creation Date** Mon, Jan 15, 2007 4:13 PM  
**From:** <Foxragone@aol.com>

**Created By:** Foxragone@aol.com

**Recipients**

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 HearingDocket (HearingDocket)

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vancampt

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**Files**

MESSAGE	4195
TEXT.htm	6240
NRC Hearing Request.doc	32256
Mime.822	57222

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**Options**

**Expiration Date:** None  
**Priority:** Standard  
**ReplyRequested:** No  
**Return Notification:** None

**Concealed Subject:** No  
**Security:** Standard

**Junk Mail Handling Evaluation Results**

Message is eligible for Junk Mail handling  
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Junk Mail handling disabled by User  
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Junk List is not enabled  
Junk Mail using personal address books is not enabled  
Block List is not enabled

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