

RAS 13049

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Date: Fri, Feb 9, 2007 3:11 PM
Subject: Re: Shieldalloy: NRC Staff Response to Ragone Hearing Request

Margaret Bupp, Could you please clarify the petitioning for a hearing process for me ?

It is becoming evident, as you recommend that all of the petitions under your review be denied and that the County Freeholders be permitted only as "participants" (I assume a kind of auditor position should any hearing go forth), that the petitioners were not aware of the factual or legal back-up needed to support their contentions at the time of petition, i.e. citing previous litigation, scientific findings, etc. The process appears that counsel for SMC makes recommendations to the NRC counsel who in turn make (what seems to be almost verbatim) recommendations to the Adjudicators ? Do the Adjudicators have the last word on accepting the petitions ? Or take yours ? Do they actually ever see the original petitions ? Should the NREG association have submitted over 200 signatures to you as we did to the NRC in 1994 to substantiate our resurgence to represent the majority public opinion in our locale ? I now realize in review of previous NRC communications with the NJDEP that you wish not to equate uranium tailings with slag even though the radionuclides are similar in both type and concentration and do not accept the NJDEP's referral (and my reference) to 10CFR Part 40 Appendix A Technical Criteria.

How does a layperson "prove" or give evidence of the proposed 1000 year DP will work ? No one has accumulated such knowledge to date, not even the NRC and SMC who collaboratively have finetuned this proposal. It appears as though this entire petitioning process is a wash. Law here is being mis-used to continue to allow the NRC to override public petitions rather than to enforce a manufacturer who has created hazardous waste clean it up.

Since the petitioners were not aware of the detailed substantiation needed to support their contentions, is there opportunity to appeal your recommendations by filling in the blanks on our petitions to satisfy your requirements ?

Thank you for your consideration.

Terry Ragone
 "in her personal capacity" and as co-founder
 of the Newfield Residents Environmental Group
 (NREG) an association begun in 1994.

CC: <BWJ@nrc.gov>, <MJC1@nrc.gov>

DOCKETED
 USNRC

February 9, 2007 (3:11pm)

OFFICE OF SECRETARY
 RULEMAKINGS AND
 ADJUDICATIONS STAFF

Docket No. 40-7102-MLA

SEC402

Mail Envelope Properties (45CCD554.BA9 : 16 : 11177)

Subject: Re: Shieldalloy: NRC Staff Response to Ragone Hearing Request
Creation Date Fri, Feb 9, 2007 3:10 PM
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Files

MESSAGE
TEXT.htm
Mime.822

Size

2217
2566
6738

Date & Time

Friday, February 9, 2007 3:10 PM

Options

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

Concealed Subject: No
Security: Standard

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Message is eligible for Junk Mail handling
This message was not classified as Junk Mail

Junk Mail settings when this message was delivered

Junk Mail handling disabled by User
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Junk List is not enabled
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