

Let's protect our earth



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT
CN 028
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(609) 633-1408
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JUN 22 1990

Mr. W. Fergus Porter, President
Shieldalloy Metallurgical Corporation
P.O. Box 768
Newfield, NJ 08344

Dear Mr. Porter:

Thank you for including the New Jersey Department of Environmental Protection (Department) on the carbon copy list of your letter to Mr. Charles J. Haughney of the United States Nuclear Regulatory Commission dated May 14, 1990. The letter discusses the use of ferrovanadium slag as shielding for source materials present in the source material storage yard. However, upon reading the letter there seems to be some confusion regarding the scope of the Remedial Investigation Work Plan that has been submitted to the Department. It is important that the Department respond to clarify any confusion regarding this work plan.

As you are well aware, Shieldalloy Metallurgical Corporation (SMC) entered into an Administrative Consent Order (ACO) with the Department on October 5, 1988. Paragraphs 21 through 26 require SMC to conduct a site-wide remedial investigation that fully characterizes all potential sources of pollution; fully determines the nature, type and physical state of all pollution at and emanating from the site; and fully determines migration pathways of pollutants through air, soil, ground water, surface water and sediment. Because radionuclides are pollutants and hazardous substances pursuant to the New Jersey Water Pollution Control Act and the New Jersey Spill Compensation and Control Act, respectively, the authorities under which the ACO is entered, they are to be included in the Remedial Investigation. Numerous discussions and meetings on this subject have taken place and agreements made between the Department and your staff, therefore, your statement that the RIWP was "developed merely for the purpose of identifying potential sources of chemical contamination..." is inaccurate.




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We all understand that a jurisdictional overlap exists between the Department, the United States Environmental Protection Agency, and the United States Nuclear Regulatory Commission, and all are working together so that a coordinated approach is undertaken to investigate and remediate the site to ensure the protection of human health and the environment. This letter is written to ensure that the present coordinated approach is maintained throughout the upcoming investigation and subsequent phases of the site cleanup.

If you have any questions regarding this issue, please do not hesitate to contact Donna L. Gaffigan of my staff at (609) 633-1455.

Sincerely,



David S. Zeryas, Chief
Bureau of Federal Case Management

DLG:mcs

c: Charles J. Haughney, USNRC
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