

40-7102

OFFICIAL TRANSCRIPT OF PROCEEDINGS

Agency: Nuclear Regulatory Commission

Title: Public Meeting on the Scope of
the Environmental Impact Statement
on Shieldalloy Metallurgical
Corporation's Facility in Newfield,
New Jersey

Docket No.

LOCATION: Franklinville, New Jersey

DATE: Thursday, December 16, 1993

PAGES: 1 - 105

050002

9401070139 931216
PDR ADOCK 04007102
B PDR

ANN RILEY & ASSOCIATES, LTD.
1612 K St., N.W., Suite 300

NL17
%

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

PUBLIC MEETING ON THE
SCOPE OF THE ENVIRONMENTAL IMPACT STATEMENT
ON SHIELDALLOY METALLURGICAL CORPORATION'S
FACILITY IN NEWFIELD, NEW JERSEY

Auditorium
Delsea Regional High School
Blackwoodtown Road
Franklinville, New Jersey

Thursday, December 16, 1993

P R O C E E D I N G S

[7:05 p.m.]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. WEBER: Good evening, ladies and gentlemen. I'd like to welcome you to NRC's scoping meeting tonight. Can everyone hear me? Okay.

I appreciate your coming out. This is an important first step for the Nuclear Regulatory Commission. As many of you are aware, we are at the onset of developing what we refer to as an Environmental Impact Statement for the Shieldalloy Metallurgical Corporation's facility in nearby Newfield, New Jersey.

As I mentioned, this is the first start of that process so hopefully tonight we will be able to exchange some information. The Agency will be able to share with you some of the background information to make sure that you have some of that perspective. We will be able to listen to the concerns of the local community.

To set the stage, the Shieldalloy Metallurgical Corporation has proposed, at least at a conceptual level, to stabilize its radioactive wastes that presently exist at that site in Newfield, New Jersey. It is because of that that the Commission has decided to prepare an Environmental Impact Statement.

You will be hearing from me a little bit later on about what exactly what NRC means when we refer to an EIS,

1 and what is the process, what are the opportunities for
2 public input to that.

3 Gary Comfort, who will also be speaking a little
4 bit later on will share with you some of the facts about the
5 site, how much waste is there, what are the concentrations
6 of radioactive materials in that waste, how did it get there
7 and things of this nature.

8 I would like to begin by introducing the people
9 who are here tonight from the Nuclear Regulatory Commission.
10 My name is Michael Webber. I am a Section Leader in NRC's
11 Decommissioning and Low-Level Waste Division out of NRC
12 Headquarters in Rockville, Maryland. That is just outside
13 of Washington, D.C.

14 With me at the table is Gary Comfort. Gary is the
15 Project Manager. He is in the Fuel Cycle Safety and
16 Safeguards Division. Francis Cameron, or Chip Cameron, will
17 be our Facilitator. I will introduce him in a little bit.
18 He is also from the NRC.

19 In the audience we have several individuals in
20 addition to ourselves who are from the Headquarters Offices.
21 We have Bob Pierson, Robert Fonner, and Chad Glenn. From
22 our Region I Office in fairly nearby King-of-Prussia we have
23 Duncan White, and in the back of the room, Marie Miller.
24 She is back there by the door.

25 Perhaps throughout this evening, if you have

1 questions or if you have comments that beg an answer from
2 the NRC, you will hear from us in that answer.

3 Before we pass it to Chip, I would just like to
4 tell you a little bit about the information, the documents
5 that were on the back table when you first came in. NRC has
6 back there a copy of the scoping notice, which describes the
7 process and some of the background for preparing the
8 Environmental Impact Statement.

9 We also have a copy of what we refer to as the
10 Action Plan for ensuring timely decommissioning of site
11 decommissioning management plan sites. These are sites that
12 are licensed by the NRC or that were never licensed by the
13 NRC, but require some sort of removal or decommissioning of
14 the radioactive materials on site.

15 They pose special challenges either because of the
16 large volumes or ground water contamination that may be
17 associated with the facilities. It is for that reason that
18 they get on NRC's SDMP's list. The Shieldalloy facility in
19 nearby Newfield is one of those facilities. It is one of 50
20 facilities.

21 Other documents that are out there is a background
22 pamphlet on radiation and radiation protection. There is a
23 users guide for what we call our Public Document Room. I
24 would point out that if you read that and you have an
25 interest in looking at some of the information that is

1 available, there is a facility within about 30 miles from
2 here where you can tie into that Public Document Room by
3 computer. There are people there that can help you use that
4 system. You will be able to access a lot of additional
5 background information that the NRC has in its file on this
6 facility.

7 We also have a brief summary of the site. It goes
8 over some of the same information that Gary Comfort will be
9 going over in a minute. I believe Shieldalloy Metallurgical
10 Corporation has also placed on that same table a brief two-
11 page statement of their position on this facility.

12 So you are certainly more than welcome to pick up
13 that material. If you have questions about the NRC
14 material, give Gary a call. His name and telephone number
15 is in that scoping notice, or I believe there is a contact
16 on the end of the licensee's fact sheet.

17 Without further ado, I would like to turn it over
18 to Chip Cameron who will facilitate our meeting this
19 evening.

20 Thanks.

21 MR. CAMERON: Thanks a lot, Mike. I would like to
22 add my welcome to all of you tonight.

23 As Mike mentioned, I am going to serve as the
24 Facilitator for the meeting tonight and in that role, try to
25 make sure that everybody who wants to gets an opportunity to

1 express their opinions or ask questions to try to keep us on
2 track in terms of schedule and to help us to meet the
3 objectives for this meeting.

4 There are three primary objectives here. One is
5 for all of us to try to increase our understanding of the
6 physical, the environmental, the economic aspects of the
7 Shieldalloy site here in Newfield.

8 Secondly, we want to encourage communication on
9 the issues from all of our parties who may be potentially
10 affected by the decommissioning of the site, and not just
11 communication between the NRC and the audience, but
12 communication among all of you out there.

13 Thirdly, we want to receive comments on what the
14 scope of the proposed Environmental Impact Statement should
15 be. Mike Weber is going to be going into that in a little
16 bit more detail.

17 I would emphasize that this is only the first of
18 several opportunities for public involvement in the
19 decision-making process on this site. Again, Mike is going
20 to detail some of those steps that are going to be further
21 down the line.

22 This is not a decision-making meeting. We are not
23 here to arrive at a decision. We convened this meeting to
24 hear your comments on our proposed approach for evaluating
25 what decision should be made in terms of the decommissioning

1 at the Shieldalloy site.

2 In terms of the format for tonight, we have
3 divided the agenda up into several segments. One segment is
4 going to be some brief explanatory statements from the NRC
5 staff on the site and on the process that we are going to be
6 going through. There will be an opportunity after those NRC
7 presentations for anybody to ask clarifying questions about
8 some of the information presented.

9 The second major segment of the agenda is to give
10 everyone who wants to a chance to make a formal statement in
11 regard to their concerns about the site. In order to keep
12 this more or less coherent and to make sure that every
13 interest gets a chance to express their opinions, we have
14 divided it up into several interests.

15 First of all, we are going hear from the Company.
16 Then we are going to hear from any elected officials or
17 local government agency representatives who are here. We
18 are next going to turn to environmental and citizen
19 organizations.

20 The next category would be labor, site employees.
21 After that would be any representatives from state and
22 federal agencies who want to say anything at that point,
23 local business interest, and then citizens at large.

24 After all of those presentations are done, we are
25 going to turn it open for questions to any of the people who

1 made presentations and comments on what they have said.
2 There are a few ground rules that I would go over with
3 everybody before asking you if you have any questions on the
4 agenda.

5 If you want to speak -- I think I talked to a
6 number of you as you came in -- if you want to speak during
7 the formal part of the presentations, there are sign-up
8 sheets back there by interest. Please sign up so that I
9 will know who wants to talk under the interest that most
10 closely matches yours.

11 In terms of ground rules, I would just ask
12 everybody to listen when someone else is talking and to not
13 interrupt them, and to basically respect their point of view
14 in that regard. I don't think we need to see any personal
15 attacks on anybody, whatever your perspective is. I would
16 just ask you to respect each other's time. Try to be brief
17 and to the point.

18 I think that we have a small enough number of
19 people in attendance tonight to get the questions answered
20 that people have and to give people a chance to express
21 their opinions.

22 But again we are going to have to budget our time.
23 If you are going to make a formal presentation, I would like
24 you to try to keep it to five minutes tonight. Then we will
25 see how the time is going. We can revisit some things.

1 Are there any questions on the agenda for tonight?

2 [No response.]

3 MR. CAMERON: Okay. Well, I know that we are
4 looking forward to hearing from all of you tonight. What I
5 will do now is ask Gary Comfort at the NRC staff to give us
6 some background on the Newfield site. Gary?

7 MR. COMFORT: Thank you and good evening.

8 As has been mentioned before, I am Gary Comfort.
9 My phone number is in the scoping meeting notice. Anybody
10 would like to can feel free to call and ask any questions
11 that they didn't get answered tonight. We will try to do
12 what we can for you.

13 I am a Nuclear Process Engineer at the Nuclear
14 Regulatory Commission in the Fuel Cycle Licensing Branch.
15 NRC is involved with Shieldalloy because they hold an NRC
16 license which authorizes them to possess and to process ore
17 that contains uranium and thorium under their Source
18 Material License, SMB-743.

19 This facility has imported and processed niobium
20 ore to produce ferro-columbium alloy since the 1950s. The
21 niobium itself is not radioactive, but the ore that it is
22 associated with has trace amounts of uranium and thorium.

23 This radioactive material is basically
24 concentrated into a high-temperature slag which is like a
25 glass-like rock. It looks like almost an ordinary stone.

1 It is stored on-site.

2 The facility is still continuing operation and is
3 still continuing to process the material and create slag.
4 The plant has no plans to immediately decommission until
5 they finish doing their process operations at this point.

6 This facility is located in Newfield, New Jersey,
7 basically at the intersection of West Boulevard and Weymouth
8 Road. Along the southern portion of the site, there is a
9 small stream that is called Hudson's Branch.

10 The main portion of concern here is what is called
11 the source material storage yard which is back in the corner
12 shaded. In this slag yard, there are basically three
13 different piles that are licensed by the NRC.

14 The first one is called the standard ratio pile.
15 This is the largest of the three piles and has about 46,000
16 tons of material on it. This material covers about 17,000
17 cubic meters of area.

18 Another pile that is under NRC license is the
19 high-ratio pile. This pile is much smaller, only has about
20 3,200 tons of material which covers about 1,000 cubic
21 meters.

22 The terms "high ratio" and "standard ratio" don't
23 relate to the radioactive constituents. It is the
24 licensee's terms for when they process the ore and how they
25 processed it.

1 The third pile is actually not a slag pile, but it
2 is from their baghouse filters. It is a very fine
3 particulate dust, which they store out there. When they
4 store it out there, usually when the water goes onto it, it
5 solidifies it enough that it stabilizes it somewhat on site.
6 They have also taken some other actions, or are continuing
7 to take actions to keep that on-site.

8 Basically the process is occurring in Building 111
9 over here. After they remove the slag it is then
10 transported by truck into the slag yard.

11 In this process, the basic representation of it is
12 that the ore comes into the facility. It is melted and then
13 it is separated into a slag form, and then the alloy which
14 is used by the steel industries and other industries.

15 During this melt process, as the material -- they
16 pour it into crucibles in which the material then separates
17 into a metal portion and then a slag portion. The
18 radioactive constitute stay in the slag portion.

19 Because the licensee is continuing to produce
20 material, the amount of material in the slag, or the source
21 material storage yard, is going to continue to grow. The
22 proposal is to continue to store the material into the
23 source material storage yard until they eventually do stop
24 producing. Then they will decommission the site as a whole.

25 At this time if the licensee were to stop

1 production and go ahead and decommission and leave what they
2 have on-site right now, they would have about 34,000 cubic
3 meters of material to dispose of on-site.

4 This includes the high ratio, the standard ratio,
5 the baghouse pile, and then any other contamination from the
6 buildings, from the site, and from anything off-site that
7 they detect, would go into this storage yard for the final
8 decommissioning under their proposal.

9 At the current process rates on a high side, they
10 expect to generate basically around 1,200 cubic meters more
11 of slag and baghouse dust per year. So basically if you
12 carry that out in about 25 years they would probably double
13 the amount of slag that they have on-site right now.

14 One of the elements of concern is the Thorium 232
15 that is in the slag. This basically shows the
16 representation of the decay chain. When an isotope decays,
17 it goes into another product which may -- or into another
18 isotope which then could continue to decay until it gets to
19 a stable form.

20 NRC, in its review, is going to look not just at
21 the mother product which is the Thorium 232. It would look
22 at each one of the daughter products and how that will
23 affect the environment at the site.

24 The uranium decay chain is also shown here.
25 Shieldalloy on the site has the three piles of various

1 concentrations and that is why they are separated into
2 different piles. They have gone through different
3 processes, or there is the baghouse dust.

4 This slide is basically trying to show a
5 representation of the various concentrations as compared to
6 some other guidelines. Also it is called background.
7 Background is basically what would exist in the environment
8 had Shieldalloy never existed at this site, never produced
9 or stored anything at the site.

10 The NRC guidelines are, in this case, for each of
11 the isotopes -- Thorium 232, Uranium 238, and Radium 226 --
12 are 5 picocuries per gram for unrestricted release. This
13 under the Branch technical position that we have for on-
14 site storage or disposition of uranium and thorium.

15 As can be seen, the three piles have much higher
16 concentrations. The highest pile, the standard ratio pile,
17 has an average concentration of about 500 picocuries per
18 gram Thorium 232, about 200 picocuries per gram of U-238,
19 and about 100 picocuries of radium. Each of the high ratio
20 pile has a little bit less, and the baghouse pile has
21 considerably less.

22 Another way to look at the concentrations on site
23 is through the exposures. Again, the background here is
24 showing what would be at the site should Shieldalloy never
25 gone onto the site and been there at all. The highest

1 concentration pile was the standard ratio pile. If you are
2 on top of that, you are going to get about a dose of 3,000
3 micro R per hour.

4 Now, this very rapidly decreases as you approach
5 the fence line. This pile is not considerably far from the
6 fence line. At the fence line it runs around 200 micro R
7 per hour.

8 This compares to an NRC dose limit for operating
9 facilities of about 2,000 micro R per hour if somebody were
10 standing the fence line just on a casual basis. If somebody
11 were at the fence line, as a continuous living there, that
12 dose limit would be less. The decommissioning guidelines,
13 though, that NRC has is about 10 micro R per hour.

14 What Shieldalloy is proposing to do under their
15 proposal is cover this material and stabilize it such that
16 somebody living on that site would receive no more than the
17 10 micro R per hour above background that is allowed under
18 our decommissioning requirements.

19 Now Mike is going to discuss the rest of the NEPA
20 process for you.

21 MR. WEBER: Gary used the acronym "NEPA." NEPA
22 stands for the National Environmental Policy Act. It was a
23 piece of legislation enacted by Congress back in the late
24 1960s. It created the framework under which the NRC and
25 other federal agencies evaluate the impacts of different

1 actions before those actions are taken. I am going to
2 describe what that process is in general terms.

3 First of all, what is an Environmental Impact
4 Statement? I will review that. What alternatives will be
5 considered by the NRC?

6 In this section I will emphasize both the
7 licensee's proposed action, which is to stabilize or dispose
8 of the material on-site, versus alternatives to that action.
9 We tried to come up with a range of alternatives that would
10 reasonably bound the types of actions that may be taken with
11 the waste that is presently there.

12 What impacts will the NRC evaluate as part of its
13 evaluation? Then the last two points will include: What is
14 the schedule that we are developing the Environmental Impact
15 Statement on? Where will there be additional opportunities
16 for public input into that process?

17 In general terms, an Environmental Impact
18 Statement evaluates the environmental effects of a proposed
19 NRC action. In this case it would be a decision on whether
20 to approve on-site disposal of the licensee's waste.

21 These slides, by the way -- I see some of you
22 marking down -- there are copies of these available at the
23 back of the room.

24 Secondly, it would identify alternative actions
25 and estimate the potential effects of those actions. That

1 is to provide a common framework in which to compare the
2 alternatives, to evaluate one versus another, versus the
3 whole range of alternatives. Is there one alternative that
4 is clearly preferable from the standpoint of environmental
5 impact or the lack thereof? Other things are also
6 considered such as cost or social impacts.

7 Third, assisting the NRC in reaching a decision.
8 It is a decision-aiding document. That is the very reason
9 why Congress requires the federal agencies to prepare this
10 sort of statement.

11 Then not to mention the least is that we are
12 required by law and we are also required by our own
13 regulations in 10 CFR Part 51, to, in circumstances, prepare
14 an Environmental Impact Statement.

15 The scoping process that we have embarked on, and
16 we recently noticed back in November in the document called
17 the Federal Register, is the very beginning of the
18 preparation of an Environmental Impact Statement. This
19 public meeting here tonight is certainly a key component of
20 that.

21 We decided to have a public meeting because we
22 thought it would be a good opportunity to solicit input from
23 the local community, the various interests that might have
24 concerns or view or suggestions on what the NRC should
25 consider as part of the development of that Environmental

1 Impact Statement.

2 Basically you can summarize the scoping process
3 into a single question and that is: Is the NRC on the right
4 track? Are we considering the right alternatives? Are we
5 considering an appropriate range of impacts of those
6 alternatives? Are there other issues or concerns that you
7 believe the NRC should consider as part of the development
8 of the Environmental Impact Statement?

9 These are the sorts of things that we would hope
10 to get out of the scoping process and in part out of the
11 scoping meeting tonight. But this is by no means your only
12 option for providing us with that input.

13 In addition to tonight's meeting, there is
14 certainly the opportunity to convey comments in writing by
15 mailing them to the NRC as laid out in that scoping notice
16 before January 15, 1994.

17 We will also be looking at other issues throughout
18 the scoping processing. There may be issues or comments or
19 concerns that are raised that after the NRC evaluates those
20 issues determines they really fall outside of the scope of
21 the document.

22 To make that part of the public record and provide
23 an opportunity for you to see how we have decided they fall
24 outside of the scope, we will prepare a summary document at
25 the end of the scoping process and specifically provide an

1 explanation for why certain comments or certain issues and
2 concerns we believe should rightfully fall outside the scope
3 of the document.

4 What are the alternatives that we have identified?
5 They are described, conceptually at least, in that Scoping
6 Notice that is available here tonight, and was sent to some
7 of you in advance of the meeting through the mail.

8 First of all, there is the licensee's proposed
9 action of on-site disposal. This is really the action which
10 stimulated the NRC to prepare an environmental impact
11 statement.

12 As Gary pointed out, the concentrations that are
13 involved in the thorium slag are somewhat above or
14 considerably above the levels that NRC has previously found
15 acceptable as part of a decommissioning action or as part of
16 on-site disposal of radioactive waste.

17 Also, on-site disposal, the waste, would at least
18 envision that there would be long-term controls placed on
19 that land which would prevent other uses of that land. That
20 may have impacts associated with it, and that is something
21 else that we want to evaluate as part of the EIS
22 development.

23 Other alternatives -- and I will go into these in
24 more detail on the coming slides -- include off-site
25 disposal. Instead of disposing of material on-site, remove

1 it from the site, and reduce the levels of contamination to
2 acceptable levels at the Newfield site, transferring the
3 material to another licensed disposal facility.

4 A third alternative might be some on-site
5 processing, which might be useful in reducing the volume or
6 the hazardous characteristics of the waste before it was
7 taken off-site, and perhaps some waste would be disposed of
8 on-site as part of that alternative.

9 A fourth alternative would be on-site dilution.
10 Reducing the concentration of the uranium and the thorium
11 and the other radionuclides that are present in the waste by
12 bringing in relatively clean material.

13 A fifth action, and I emphasize that this is for
14 comparison purposes. We routinely include in an
15 environmental impact statement the so-called no-action
16 alternative. Now, a lot of people get concerned when they
17 hear that expression. Again, I would emphasize that the
18 purpose of that is to provide a baseline or a common
19 reference point against which to compare all the other
20 impacts of the alternatives. It is a common framework that
21 we can use to make the comparative decisions that we have to
22 as we go through the EIS process.

23 To go through these in a little more detail.
24 Again, they are conceptual. In part, what we would like to
25 hear from you, either tonight or through your written

1 comments if you choose to send them in, is are there themes
2 or variations that you would have us emphasize in developing
3 the specifics that would implement these different
4 alternatives.

5 For example, when we discuss on-site
6 stabilization, I depict here one potential configuration
7 where some sort of multi-layered cover would be placed above
8 the radioactive waste, and this cover would be designed to
9 do several things.

10 For example, perhaps minimizing infiltration into
11 the waste so that you could protect ground water or against
12 potential leeching of the radioactive materials. It would
13 be designed perhaps to minimize any long-term erosion. It
14 could be designed to minimize gaseous releases of
15 radioactive materials from the pile or wind erosion, these
16 sort of things. All those would be taken into consideration
17 in coming up with the more detailed information in the
18 alternatives.

19 Another alternative is the off-site disposal
20 alternative. In this case, there would be removal of at
21 least the large volume of material that is presently at the
22 site or some fraction of it, and that material would then be
23 transported off the site and disposed of at another
24 location.

25 That location may be near Newfield; it may be

1 somewhere within the State of New Jersey; it might be
2 somewhere outside the State of New Jersey. These are all
3 potential sub-alternatives that could be considered as part
4 of the development of the environmental impact statement.

5 I have shown on there the map of the United
6 States. The arrow leading to the State of Texas is only for
7 illustrative purposes. By no means are we implying that the
8 State of Texas should be the potential recipient of the
9 waste from the Newfield site.

10 A slightly different alternative would include
11 some sort of on-site processing. As I mentioned earlier,
12 this might be used to reduce the volume or the hazardous
13 characteristics of the waste.

14 Some of the waste that would be concentrated then
15 would be taken off the site and disposed of at a licensed
16 disposal facility. Perhaps other waste would be disposed of
17 right at the site, but it would meet NRC's existing
18 guidelines for decommissioning.

19 In other words, the concentrations would be
20 expected to be somewhat lower. Again, the arrow leading to
21 the State of Texas is just for illustrative purposes.

22 Another alternative would be that of doing
23 processing on-site, but it would be for the purposes of
24 diluting the waste.

25 In this case, the concentration of the waste could

1 be reduced and, thus, potentially, the risk for the
2 radiological dose to potential future residents at that site
3 might be further reduced. Something else that the NRC would
4 consider. These are all conceptual.

5 The last action that is identified in the scoping
6 notice is that of the no-action alternative. In this case,
7 for comparative purposes, we would assume that nothing is
8 done with respect to the existing waste, or not anything
9 substantial.

10 We would look at what are the long-term
11 ramifications of that, what are the impacts on the
12 environment, and are there compliance problems with that.
13 Would that violate other regulatory programs, requirements,
14 or legislation.

15 I show here a capital dome. There are certainly
16 other agencies that are involved at the Newfield facility.
17 For example, the Federal Environmental Protection Agency and
18 the New Jersey Department of Environmental Protection and
19 Energy are both involved because they have, similar to the
20 NRC, oversight responsibilities for some of the activities
21 at the site, which many of you are probably already familiar
22 with. In this case, some consideration would be given under
23 the no-action alternative to how these other programs might
24 impact the site.

25 I should also point out at this junction that we

1 are and have proposed to a number of these agencies that we
2 cooperate in the development of the environmental impact
3 statement, and the agencies are currently considering the
4 merits of that and whether they should chose to do that
5 cooperation.

6 There are benefits to that by sharing information,
7 by improved efficiency in governmental function and by
8 acting in a joint fashion to some extent. These will be
9 considered both through the EIS process and then separate
10 from that as the agencies continue to cooperate and consult
11 with one another.

12 That is the discussion of the alternatives. We
13 next turn to the impacts. I show the impacts in a single
14 slide. These, again, are for illustrative purposes.

15 The scoping notice that is available describes the
16 types of impacts that the NRC has identified that it
17 presently intends to address in the environmental impact
18 statement. Some of those are illustrated in this slide.

19 For example, if on-site disposal is evaluated, as
20 it will be in our present plan to conduct the EIS, we would
21 be looking at potential future exposures of radiation to
22 people who might live at the site in some point in the
23 future.

24 We would also look at the long-term erosion
25 potential and what negative or positive effects may accrue

1 from that. We look at potential ground water contamination
2 or surface water contamination, evaluating some of the
3 impacts of this on-site disposal alternative.

4 There would also be other impacts or other types
5 of impacts evaluated. Cost is certainly something that
6 comes into play because many of these activities involve
7 quite a bit of money to pay for their implementation.

8 For example, off-site disposal is expected, at
9 least at the present waste disposal charges, to cost a
10 considerable amount, and that would have to be reflected in
11 evaluating the alternatives.

12 There would be other alternatives. For example,
13 risks from transportation accidents. If the waste is to be
14 removed from the site, it has to go either by rail or by
15 truck usually, and there are risks associated with that.
16 Just simply transportation risks driving trucks down the
17 roads, and things of that weight.

18 Other impacts would be social impacts on the
19 community that may accrue or differ from one alternative to
20 the other. These are the type of things that the NRC would
21 be evaluating as part of the development of the
22 environmental impact statement.

23 With that background, let me turn briefly to the
24 schedule that the NRC is presently intending to complete the
25 environmental impact statement on. As I mentioned earlier,

1 we would be completing a scoping summary document, and I
2 have on here February; it might be March, but anyway, that
3 is the time frame that we are looking for in completing
4 that.

5 What we intend to do there is take the comments
6 that come through orally tonight as well as any written
7 comments that may come in during the comment period and
8 summarize those, provide responses as to whether we feel
9 they fall within or without the scope of the document.

10 We will probably also merge the scoping summary
11 for this environmental impact statement with the scoping
12 summary of another environmental impact statement, and that
13 is an EIS we are preparing for the sister facility of the
14 Shieldalloy Metallurgical Corporation in Cambridge, Ohio.

15 We had a public meeting essentially identical to
16 this meeting we are having here tonight in Byesville, Ohio,
17 which is near the Cambridge facility, on Monday evening of
18 this week. We had a similar turnout, and we heard views and
19 concerns expressed by local communities on a variety of
20 issues.

21 With all that, we would agree on the scope of the
22 document. We would then set about the analyses that we need
23 to do to support that document. We would plan to publish a
24 draft environmental impact statement in October of '94, and
25 then publish a final environmental impact statement in June

1 of '95. That is specific for the facility here in Newfield.
2 There would be a separate environmental impact statement for
3 the facility in Cambridge, Ohio.

4 I put one caution on the bottom of the slide, and
5 that is, as noted in the scoping notice, that the process -
6 - the schedule may be revised by the NRC in response to new
7 information.

8 For example, some of you are aware that
9 Shieldalloy Metallurgical Corporation filed for protection
10 under Chapter 11 of the Bankruptcy Code in the beginning of
11 September. Depending on the resolution of that matter, that
12 may impact the NRC licensing and environmental impact
13 statement development process.

14 With all that, where is your opportunity for
15 input? Well, tonight's meeting is one first example, one
16 first opportunity for you to have input into this process
17 either by providing oral comments or by providing written
18 comments to us tonight. Either way is fine. We do not
19 place any greater emphasis on oral comment or written
20 comments. What we need is your comments. So if we get it,
21 we can include it and consider it as far as scoping.

22 There is also, as I mentioned earlier, the
23 opportunity to submit written comments. Send them in
24 writing to the address noted in the Federal Register notice
25 by January 15, 1994. There will be an opportunity to

1 comment on the scoping summary document. We intend to
2 circulate that to people who attend here tonight, as well as
3 other individuals that may express an interest over the next
4 several months.

5 Then, certainly, there are formal comment
6 opportunity on the draft environmental impact statement that
7 would be published and distributed widely. We would be
8 requesting comments on that document within 90 days, so you
9 would have roughly three months to review the document and
10 tell us what your views are on things we may have omitted or
11 things that you think were right on.

12 Finally, there will be an opportunity, once we
13 complete, the environmental impact statement to comment on
14 the decommissioning plan. We would expect that after we
15 would complete the environmental impact statement that we
16 would then move to the next phase of the decommissioning
17 process whereby the licensee Shieldalloy would submit a more
18 detailed plan than the kind of conceptual alternatives we
19 have been discussing today about exactly how that
20 corporation plans to dispose of the waste.

21 Certainly, as Gary mentioned earlier, there is the
22 continuing opportunity for individuals to contact the
23 project manager, to write things to the project manager. We
24 are public servants, so, in part, we are here to answer your
25 questions and provide information that you may have interest

1 about.

2 I would just like to say two things and then turn
3 it back to Chip to take the comments or begin the formal
4 process. One is that the meeting tonight is being
5 transcribed. There will be a public transcript available to
6 you if you are interested in that.

7 Secondly, I would like to thank the school system
8 here, the Delsea Regional High School for allowing us to use
9 their facilities here tonight. We certainly have a need for
10 that when we have this kind of a turnout. We just thank the
11 school system for making this facility available to us.

12 Anything else?

13 [No response.]

14 I'll turn it back to Chip.

15 MR. CAMERON: Thanks, Mike. I think we should
16 take some time to allow you to ask some clarifying questions
17 of Mike and Gary. The reporter has told me that he thinks
18 he can hear most of you if you ask questions from your seat,
19 rather than coming down to the mike, but we may have to ask
20 some of you in the back who have questions to come down to
21 the mike.

22 I would just remind you that there is a sign-up
23 sheet out there for further information if you want to get
24 copies, for example, of the scoping summary that Mike Weber
25 mentioned. Before you leave tonight, give us your address

1 if you would like to be kept on the mailing list for further
2 information about what is happening with Newfield.

3 Does anybody have a question? Yes, ma'am?

4 MS. WILLIAMS: Loretta Williams. I have a couple
5 of questions. How many sites -- this stuff, the slag is
6 going to be moved to another site and disposed off-site.
7 How many facilities are there around the country, and how
8 many mainly in New Jersey?

9 MR. WEBER: I think I can answer the first
10 question. I am not sure I can answer the question about the
11 State of New Jersey. But your question is how many site are
12 available?

13 MS. WILLIAMS: Are available for this stuff to be
14 moved, this slag. They had a proposal, the second one, I
15 think, was off-site disposal.

16 MR. WEBER: Right.

17 MS. WILLIAMS: They were going to dispose of this
18 at another site, a disposal site for low-level radiation.
19 How many facilities are there around the country that would
20 handle this?

21 MR. WEBER: There are currently three operating
22 low-level waste disposal facilities that take commercial
23 waste in the United States. They are located in South
24 Carolina, Utah and Washington State.

25 The access to at least two of those facilities

1 will be restricted severely as of next year sometime. So
2 that would leave, at this point, the facility in Utah as the
3 only facility that I am aware of that would be currently
4 licensed to take this waste.

5 Now, that is not to mean that other facilities
6 could not also come in and seek a license and go through the
7 licensing process, and receive authorization by either the
8 NRC or by what we call our agreement state agencies.

9 In terms of how many site there are in the State
10 of New Jersey that have similar waste, was that the second
11 question?

12 MS. WILLIAMS: That would dispose of this.

13 MR. WEBER: I am not aware of any in the state
14 that would current dispose of this material.

15 MS. WILLIAMS: What about the nuclear power
16 plants? Would they be used to store this type of radiation?

17 MR. WEBER: No. First of all, the typical nuclear
18 power plant would not generate this type of material because
19 this is naturally occurring radioactive material that has
20 been concentrated in the process, uranium and thorium.

21 Secondly, every radioactive waste disposal
22 facility that I am aware of -- every nuclear power plant
23 that I am aware of has not taken waste from off-site from
24 another generator, for example. There are some
25 complications with doing that.

1 In many cases, a nuclear power plant committed to
2 the local community when they began building the facility
3 that they would, at some point, decommission that facility
4 and remove whatever material they would bring to the site.

5 MS. WILLIAMS: What do you mean decommissioning?
6 Does that mean that the company would go out of business as
7 a certain point, or eventually going to -- go out of
8 business in this town?

9 MR. WEBER: NRC uses the term "decommissioning" as
10 an order process where a licensee decides to terminate
11 whatever activity that they are currently engaged in that
12 required authorization from the NRC to use the radioactive
13 material.

14 That doesn't mean the company itself would go out
15 of business. There is a potential that they would simply
16 stop doing what they've been doing with the radioactive
17 material, and continue doing whatever else they may want to
18 do.

19 MS. WILLIAMS: But isn't this part of their
20 business -- that is, part of the waste materials from the
21 alloys that they produced?

22 MR. WEBER: Part of their operation at the
23 Newfield facility generates this waste on an ongoing basis.
24 But they do have other activities on that site that are not
25 associated with this radioactive waste.

1 MR. CAMERON: I think that when we get to either
2 the second question and answer session or when the company
3 comes up to make their presentation, they might address
4 exactly those aspects that you are interested in.

5 MS. WILLIAMS: I have one more question of the
6 NRC. In the worst case scenario, say they file Chapter 7
7 and they decide that it stays on-site. In other words, it
8 would have to be enclosed there, on-site, so the radiation
9 would not leak into the atmosphere or into the ground.
10 Would it be possible for another company to move there? I
11 mean, would that ground be -- I mean, would that area be
12 restricted from any use whatsoever in the way of industrial
13 use?

14 MR. WEBER: There is an entire range of
15 alternatives there. For example, a company might want to
16 move to that site and continue the kind of operations that
17 Shieldalloy currently is engaged in. In that case, the
18 license would be transferred after NRC reviewed and approved
19 that new company receiving that authority.

20 MS. WILLIAMS: What if they don't? How many
21 companies do this kind of work?

22 MR. WEBER: There are a handful of companies that
23 I am aware of in the United States that do similar
24 activities like Shieldalloy is engaged in.

25 MS. WILLIAMS: I don't really think that the

1 people in this town want another company like Shieldalloy to
2 be doing this type of work that causes this kind of
3 pollution.

4 MR. CAMERON: I would just ask you to save that
5 for the comment section, and just keep this for clarifying.
6 But thank you.

7 The gentleman in the back.

8 MR. VINEGAR: Good evening. My name is Samuel
9 Vinegar. I am the Senior Office of Local 2327 UAW,
10 Vineland, New Jersey. I work at Shieldalloy Corporation. I
11 have been there for 30 years.

12 It seems to me there has been a lot of discrepancy
13 placed on Shieldalloy about radioactivity and waste.

14 If people will look back over the past 30 or 40
15 years, 90 percent of the waste comes from North Jersey. It
16 didn't come from Shieldalloy was a chicken farm when it
17 first started out. There wasn't any chrome there then.

18 Then, from the '50s through the '60s, they found
19 the chromium was going to be bad. Shieldalloy tried to
20 clean it up. They did the best they could under the
21 regulations that the government set down.

22 MR. CAMERON: Sir, can I interrupt you for a
23 second?

24 MR. VINEGAR: Yes.

25 MR. CAMERON: If you do not have a question right

1 now for the NRC people, could I ask you to come back down
2 when we have the -- wait for about 15 minutes and come back
3 down and make your statement because I know that we want to
4 hear it, but we want to try to save this part just for
5 clarifying questions.

6 MR. VINEGAR: The reason why I am saying this is
7 it seems like -- they were in our shop today, and I saw them
8 when they walked over the shop. They have an adverse
9 condition about Shieldalloy due to media. I really don't
10 like that because I know better. I would like to express
11 myself while I am here, and I can go.

12 As far as Shieldalloy is concerned, Shieldalloy,
13 period -- there has been radioactive material there. The
14 reason I am saying this is I worked in there more than
15 anybody else in that shop. I can still run 100 yards in 12
16 seconds, and take care of business; no problems.

17 But all of sudden somebody is going to say -- the
18 NRC Commission has 15 or 20 people there today. It is not
19 so because no matter what we make or decisions here today,
20 they are not going to clean it up because they're not going
21 to move it. They'll put a concrete slab over it and let it
22 sit there.

23 But all we want is for Shieldalloy to stay open
24 and have people's job. To keep my job. Thank you.

25 MR. CAMERON: Thank you.

1 We have another question right up front here.

2 MS. MADDEN: My name is Pati Madden. On one of
3 the things that you showed where you said they were going to
4 take the slag off-site. And you said possibly in the near
5 area. Are you going to allow them to sell this again so
6 that they can use it for different buildings for putting
7 footage -- for fill? That's what I am trying to say.

8 MR. WEBER: This is licensed material, so the
9 concept there is that it would be sent to a licensed
10 disposal facility.

11 MS. MADDEN: Were you aware of the fact that they
12 were selling this stuff out there years ago?

13 MR. WEBER: I'm not aware of that, but I do know
14 we were at the site today and they showed us where some slag
15 had been used adjacent to the site, but on their property.

16 MS. MADDEN: No. I'm talking about tractor
17 trailer, 18-wheelers type coming out where they were selling
18 the slag and getting rid of it. That is not one of the
19 options that you are going to release to them again?

20 MR. WEBER: Yes.

21 MS. MADDEN: All right. You also talked about
22 having it capped and then lined. Are these going to be
23 lined, and I don't mean to be facetious, but like the
24 chromium pools were lined?

25 MR. WEBER: Again, the concepts that we put up

1 there are really that. They are just conceptual
2 illustrations. We haven't set on whether a liner would even
3 be necessary or whether that should even be part of the
4 environmental impact statement.

5 We would like your comments on whether you believe
6 that alternative should include a liner because of your
7 concerns.

8 MS. MADDEN: How safe -- if you cap this -- all
9 right, fine. You're going to stop it from going into the
10 environment. We are no longer going to have it in our air.
11 But what is that going to do our water?

12 MR. WEBER: That's why we have to prepare the
13 environmental impact statement.

14 MS. MADDEN: So you have done absolutely no study
15 whatsoever to this point as to what this radiation is doing
16 to our ground water, or ground or our air?

17 MR. WEBER: No.

18 MS. MADDEN: So for 40 years they have been
19 allowed to have this stuff there without the NRC -- you've
20 done nothing?

21 MR. WEBER: No, we haven't done nothing. We have
22 the ability to license this facility. We have evaluated the
23 leeching potential, for example, of the slag. The licensee
24 had to run some tests, submitted that information to us,
25 showed that the leech potential of the slag was very low.

1 They have a monitoring program presently on-site. We review
2 that. We recently inspected the facility.

3 So it is not like we haven't done anything. What
4 I am talking about here are what are the long-term impacts
5 of allow the disposal of that waste on-site as one
6 alternative versus impact that might be associated with
7 other alternatives for the disposal of that waste.

8 Those kind of analyses we have not yet done
9 because we are in the beginning of this process. And that
10 is exactly the kind of information you look at as part of
11 the environmental impact statement.

12 MS. MADDEN: You're talking about on-site. I've
13 heard a couple of time you say people that will possibly
14 live here. We have people living near that fence line now.

15 MR. WEBER: Right.

16 MS. MADDEN: Okay. That are exposed to this now,
17 have been exposed to this for year. Our concern here is
18 when you do your survey, we want a very in-depth,
19 aggressive, however you want to say it, report done.

20 I spoke to someone before the meeting started.
21 When they refer to on-site, I want on-site either to be
22 stated that it is the on-site facility that is right there
23 at the main buildings, or is it on-site when they mean
24 property owned by them because they own property all over
25 the area now that they've been forced to buy.

1 These are real concerns that we have. You are
2 saying that with the water, they have a report on one of the
3 ones that they have from the reports that are here where it
4 has already been proven that it is in the ground water.

5 MR. WEBER: What has been proven is in the ground
6 water?

7 MR. CAMERON: Can we save this for your formal
8 talk --

9 MS. MADDEN: Sure.

10 MR. CAMERON: -- so that we can get some other
11 clarifying questions here?

12 MS. MADDEN: Sure.

13 MR. CAMERON: And then wrap this particular
14 portion up, if you don't mind.

15 MS. MADDEN: No problem.

16 MR. CAMERON: The gentleman right there in the red
17 shirt?

18 MR. MOYNIHAN: If they do encapsulate the material
19 on-site, there will always be a restriction on that land.
20 Is that true?

21 MR. WALKER: That's at least conceptually what we
22 have been looking at as far as an alternative.

23 MR. MOYNIHAN: Mrs. Williams was asking that if
24 shieldalloy should go to Chapter 7, what future use could
25 there be for that land, and the only use would be with the

1 light industry. No other industry could move into that, is
2 that true?

3 MR. WALKER: No. It depends on what kind of land
4 restriction was placed on that property.

5 MR. MOYNIHAN: You believe that you are only going
6 to be able to restrict that little part where the slag piles
7 are? Once you get into those buildings you don't think
8 they'll be restricting the whole area? Right now there's
9 contaminated chromium as far as West and -- I mean there is
10 a flow of contamination. I forget how big it is, but it's
11 very big and I think you are going to find the same type of
12 contamination from the sludge.

13 Another question: The dust from the baghouse, is
14 that a scrubbing type baghouse or a precipitator type? What
15 is that?

16 MR. WALKER: My understanding and Gary or Duncan,
17 you may want to correct me, but it's fabric bags that are
18 within that baghouse.

19 MR. MOYNIHAN: It's just a plain baghouse.

20 MR. WALKER: Right.

21 MR. MOYNIHAN: Going through the filters. In
22 other words the dust bag is transported from the baghouse to
23 the site where it is stored, the small pile.

24 MR. WALKER: That's right.

25 MR. MOYNIHAN: At that time it's still the dust,

1 is that right?

2 MR. WALKER: That's my understanding.

3 MR. MOYNIHAN: You said when it gets damp it gets
4 hard. What happens when it gets dry?

5 MR. WALKER: It stays hard. It forms a crust over
6 it.

7 MR. MOYNIHAN: In other words there is no surface
8 dryness that can go to the atmosphere?

9 MR. CAMERON: Gary, if you are going to answer,
10 why don't you get up to the mike so that we can get it on
11 the transcript.

12 MR. COMFORT: Basically on the site the dust is
13 put into a pile. As they put it down, they wet it down
14 immediately at that point so that the dust is not --

15 MR. MOYNIHAN: Have you ever seen them do that?

16 MR. COMFORT: I have seen the residue after they
17 have done it.

18 MR. MOYNIHAN: My concern is during transportation
19 from the baghouse -- I mean a normal baghouse, all the dust
20 is not in the bags. You know, what's happening to our
21 transportation here? What's happening before they do wet it
22 down and it dries?

23 MR. COMFORT: Okay. There have been changes
24 recently in procedures over the last couple of years. I have
25 been at the site back in 1990 and it's changed a little bit

1 on how you would work with the stuff now.

2 Under current operating, they'll basically put the
3 dust into a truck, cover the truck, carry it over to the
4 site. Then they'll dump it onto the pile, immediately
5 wetting it down and which actually I had been at an
6 inspection of February of this year where I did see them.

7 MR. MOYNIHAN: Still dust though?

8 MR. COMFORT: Yes, it's still dust at that point
9 but it is under a tarp and then they will put it, cover it
10 over and then if you go into the site right now you would
11 see, even though they haven't just put water on it, that
12 there is a crusty material over it.

13 Now there are breaks in the crust and they are
14 working currently with us. They had been trying to use a
15 process where they put I think it was a material called
16 gunnite on it, which is like a cement material. Now that
17 they found some problems with settling causes it to still
18 expose dust that might migrate to the air, so they are
19 working further to do more.

20 MR. MOYNIHAN: There is a potential problem?

21 MR. COMFORT: There is the potential right now,
22 yes, and that is one of the things that will be studied.

23 MR. MOYNIHAN: You had some figures -- I
24 personally have been around with a geiger counter at the
25 fenceline. What happens if a piece -- you have a whole

1 bunch of small stone, I'm talking small. What happens if a
2 kid picked that up and put it in his mouth at the fenceline.
3 I mean it could get to the fenceline.

4 What happens if that is digested? The kid wants
5 to pick a pebble up and shine it up and puts it in his
6 mouth. He shines it, what happens?

7 MR. COMFORT: Basically I am not aware of, I am
8 not familiar with the digestive process of this material.

9 MR. MOYNIHAN: You're talking about exposure.

10 MR. COMFORT: Right.

11 MR. MOYNIHAN: So I am talking about internal
12 exposure.

13 MR. COMFORT: Right. You know, that will be
14 studies but I am not aware of the internal exposure -- I
15 mean the internal digestive process. If it isn't digested,
16 it will just come out in the stool basically as a whole
17 piece in which there will basically be no effect at all to
18 the kid in that time period --

19 MR. MOYNIHAN: But if it is digested?

20 MR. COMFORT: Like I'm saying if it isn't
21 digested, if it stays as a whole.

22 If it does there may be some other effects.

23 MR. CAMERON: Okay. Let's go to some other
24 questions and I just want to remind everybody that there are
25 questions that the NRC Staff does not have answers for or

1 satisfactory answers for right now, the importance of your
2 questions is so that we are alerted to those very concerns
3 that you have so the importance is in the question, too, as
4 well as the answer here tonight.

5 MR. MELON: My name is Ed Melon, and it seems
6 that most of the concerns from what I have heard --

7 MR. CAMERON: Can you come forward to the mike,
8 Ed? I don't think they can hear you, and I would just ask
9 you -- let's save this for clarifying questions to the NRC
10 Staff. I know everybody has a lot of concerns. Let's get
11 those out there during the next period. Go ahead, Ed.

12 MR. MELON: Thank you. Kind of a progressive
13 question. It seems that the study is based on if the site
14 is to be decommissioned, is the environmental impact study
15 and it seems most of the questions I hear and myself the
16 same, if the plant was to operate for the next 15 or 20
17 years, would there be any changes made by your study as far
18 as what is done with this material and the slag while they
19 were still under operation or is it pretty much a cleanup
20 when the plant ceases to do this procedure?

21 MR. COMFORT: First of all, NRC is continually
22 looking for information that may change or be new to them
23 that they didn't know about, so if we determine things that
24 are new, we will act upon it, immediately if necessary, in
25 our next review if it is not necessary but it will be acted

1 upon.

2 In this case we are currently doing a renewal
3 review at the same time in which there is an environmental
4 assessment being done of the operating process of this,
5 which is hopefully going to be out some time I'd say in
6 early Spring. Again, a lot of that is going to depend upon
7 this process, what kind of information comes into it, and
8 environmental impact statements is a much more thorough, in-
9 depth process. A lot of the issues are similar.

10 They are storing the slag out there right now in
11 an exposed form. You know, the EIS will evaluate, you know,
12 the "no change" alternative, you know, just walk away.

13 We will take lessons learned from that and
14 perhaps, you know, create new license conditions, force them
15 to do other things, but we are continually learning. This
16 process is not only just for when they decide to
17 decommission but the information will be used as we do
18 renewals every five years and our studies on it.

19 MR. MELON: That's a little better comfort factor,
20 thank you.

21 UNIDENTIFIED SPEAKER: I forget my high school
22 chemistry here: Ra-228 and Rn-220, could you --

23 MR. WALKER: Ra-228 is Radium-228, and Rn-220 is
24 Radon-220.

25 UNIDENTIFIED SPEAKER: Radon is a process of the

1 decomposition. It's gaseous, right?

2 MR. WALKER: Right, that's correct.

3 UNIDENTIFIED SPEAKER: Is there a way to determine
4 how much radon gases would be put out during the
5 decomposition process, the quantity of material there, if
6 that would be of help?

7 MR. WALKER: Yes, that's what we are going to have
8 to look at as part of the EIS, as part of the dose
9 assessments.

10 MR. CAMERON: The woman in the back.

11 UNIDENTIFIED SPEAKER: If you are planning on
12 moving --

13 MR. CAMERON: I think you are going to have to
14 come up. I'm sorry.

15 UNIDENTIFIED SPEAKER: If you are planning on
16 moving this material out of there, if they decide not to
17 encapsulate it and move it to Utah, what would be the
18 process of moving it? Truck, train? How would you do it?
19 Would it go through Franklin Township, for one, and what is
20 the half-life of these particular contaminants?

21 MR. WALKER: Okay. One clarification and then
22 I'll answer the questions.

23 We are not planning on doing anything at this
24 point. What we are doing is looking at what the
25 alternatives are. The company has come to us and said we

1 propose to dispose of this material on site, so we are going
2 to evaluate that as well as these other alternatives.

3 Now one of your questions was what is the half-
4 life of the materials involved.

5 The Thorium-232, which was one of the
6 radionuclides or the radio materials Gary mentioned, has a
7 half-life of 14 billion years, which means it is -- billion
8 with a "b" -- it's essentially radioactive forever.

9 Now many of the other radionuclides involved in
10 that decay chain, those two decay chains he showed, have
11 significantly shorter half-lives but even so, since the
12 parent material is going to be around for a long time, we
13 would expect those decay products also to be around for a
14 long time.

15 In terms of your question about what mode of
16 transportation would be used, we haven't gotten to that
17 level of detail yet in terms of refining the alternatives.

18 UNIDENTIFIED SPEAKER: Well, I'm sure you have
19 some idea of whether they are trucked or trained or however,
20 you know, and what I am thinking of is going through
21 Franklin Township I want to make sure that if they go down
22 Route 40 and there is a spill that, you know -- I'm with
23 Emergency Management. That is why I asked.

24 MR. WALKER: Right.

25 MR. CAMERON: Okay, thank you. Let's take one

1 more question and to the presentations and then we'll get
2 back to some questions later on after we go through the
3 presentations.

4 I guess I would ask you to state your name for the
5 Reporter. This gentleman right here, why don't you ask a
6 question.

7 MR. COLLINI: I want to ask a question --

8 MR. CAMERON: Could you state your name too?

9 MR. COLLINI: My name is Collini. Have you ever
10 considered an alternative onsite disposal? I know of a
11 process -- you reprocess the contaminants, fuse it in a
12 furnace, bring it up to about 2750. That should bring it
13 back out again in a very glassine state similar to a pyrex
14 or a hard ceramic. Would that reduce the leeching and
15 eliminate the toxicity?

16 MR. COMFORT: Okay, we haven't done any kind of
17 evaluation like that. The licensee hasn't proposed anything
18 like that. From what I understand from the process, the
19 slag that was actually created in using that kind of method
20 and that would have to be a study and that could possibly be
21 an alternative as to how they are going to stabilize the
22 material on site during this decommissioning.

23 For current actions and operating conditions, that
24 hasn't been evaluated either, you know, as to a way to make
25 it more stable on the site. You know, that's one of those

1 things that we will at least consider looking at in our
2 environmental assessment in the process of renewing the
3 license.

4 MR. COLLINI: I have done pilot work in the past
5 and I have worked for 25 years in the furnaces, incinerators
6 and so on and so forth. Now I have done some pilot work on
7 sludge and I have reduced it to a nugget and it's
8 practically, it is nontoxic. Now if that same process you
9 could put a pilot plant or pilot furnace, a small one, right
10 there, and do a study on it.

11 MR. COMFORT: Okay, Mr. Collini, that may be a
12 good thing to talk to these people about after the meeting,
13 too.

14 MR. COLLINI: Well, I thought I'd --

15 MR. COMFORT: -- no, but it's good that you
16 suggested it.

17 MR. CAMERON: I know there is a lot of questions
18 out there. What I would like you to do is be a little bit
19 patient. We are going to get to all of your questions.
20 What I would like to do now, though, is to make sure that we
21 get some of the formal statements on the record and those
22 may answer some of your questions but more likely they will
23 even create more questions perhaps.

24 What I would like to do is to go through this
25 category-by-category, and the first category we have is to

1 hear from the company, and then we are going to hear from
2 local officials, and then citizens, and environmental
3 groups, and then we are going to go on from there.

4 Mr. Scott Eves wants to make a statement, and then
5 I believe Mr. Michael Finn is going to say a few words. Can
6 you come down and introduce yourself and we will take it
7 from there.

8 We are going to have a question period for any of
9 the people that are talking now after we go through the
10 presentations, so keep that in mind.

11 MR. EVES: Hi, I am Scott Eves, and I am Vice
12 President for Environmental Services for Shieldalloy
13 Corporation. In 1952, Shieldalloy bought an old glass
14 manufacturing facility in Newfield and converted it to a
15 metals manufacturing plant.

16 In the mid-1960s, the first heat or melt of ferro-
17 columbium using pyrochlore as a raw material was cast. It
18 has been manufactured there on that site since that time.
19 Shieldalloy is the only U.S. manufacturer of ferro-
20 columbium. Ferro-columbium is manufactured from pyrochlore
21 which is a mildly radioactive ore and the manufacturing
22 operation results in the generation of a low level
23 radioactive slag and baghouse dust. These materials have
24 been sitting on the site for almost 30 years. In 1993, the
25 NRC said, "The site poses no immediate threat to public

1 health and safety." This is because if the piles were never
2 decommissioned, never covered or hauled away, the exposures
3 to members of the offsite public would not exceed any
4 regulatory limits published by the NRC.

5 For the decommissioning of the site protection of
6 the public is a primary concern to Shieldalloy. Before we
7 can discuss the different levels of exposure, it is
8 important to understand the criteria used to determine these
9 levels. The standards that are used to determine the level
10 of maximum possible risk to members of the public require
11 that a certain number of assumptions are made, some of these
12 assumptions are: A family builds a house on top of the slag
13 pile and moves into it. They never leave the top of the
14 pile for their entire life. They drink water only from the
15 nearest aquifer. They eat vegetables grown only on top of
16 the pile. They drink milk from cows that graze only on top
17 of the pile. They eat meat from livestock that grazed only
18 on top of the pile. They eat fish that live in ponds on top
19 of the pile.

20 This farm family scenario is one that is used to
21 determine maximum possible risk for decommissioning
22 purposes. For the piles of slag at Shieldalloy, if they
23 were left in their current condition, uncapped, and a person
24 stayed on top of the pile for 70 years -- I am sorry, for 24
25 hours a day, 365 days a year, they would get less radiation

1 exposure than someone that smokes half a pack of cigarettes
2 a day.

3 However, the NRC has determined that even this
4 level's exposure too high to leave as is, and is requiring
5 that a decommissioning plan be developed. Any method of
6 decommissioning involves some risk. For a practical
7 evaluation of a remediation technique, there must be two
8 components of risk that must be evaluated. One is the risk
9 of performing the remediation and the other is the risk
10 remaining after the remediation is complete. These two
11 components must be added together to come up with a total
12 risk for a given project.

13 When the risk of constructing and installing a cap
14 for the piles is calculated and compared to the risks
15 associated with the construction and transportation efforts
16 necessary to move the material offsite, the risks associated
17 with the offsite transfer are much higher. This is due to
18 the hazards associated with excavation and moving material
19 over local roads and highways. In this case, it would take
20 more than 3,400 tractor-trailers to remove the materials,
21 and the risk of death and injury to the public go up because
22 of this.

23 The method proposed in the conceptual
24 decommissioning plan, stabilization and covering with an
25 engineered cover, is the alternative that poses the least

1 amount of risk to the general public. Not insignificantly,
2 it is also second to lowest in cost. As a company trying to
3 develop a reorganization plan under Chapter 11 of the
4 Bankruptcy Code, the financial impact of any remediation
5 plan can't be ignored.

6 Some major points I would like to leave you with
7 is that there is no appreciable exposure to the public at
8 this time; that the lowest risk remediation method is
9 stabilization and capping in place; and that stabilization
10 and capping in place will allow Shieldalloy to protect jobs
11 and continue to be a viable member of the community.

12 MR. CAMERON: I think what we will do is, we will
13 give everybody a shot at saying their formal comments and
14 concerns, and then we will come back and open it up for
15 questions. I believe Mr. Finn from Shieldalloy has some
16 things that he wants to put before the audience in terms of
17 financial conditions, things like that, whatever you have in
18 mind.

19 MR. FINN: My name is Michael Finn and I am a Vice
20 President of Shieldalloy and I am also the Corporate
21 Secretary of Metallurg, Inc., which is the parent company in
22 New York.

23 I want to talk a little about the way the
24 bankruptcy of Shieldalloy and of its parent company
25 Metallurg affects this situation. On September 2 both

1 companies went to the court and asked for the court's
2 protection under Chapter 11, and the effect of that is that
3 the creditors, the people we owe money to, have to hold back
4 and cannot be repaid for a period of time, and we are given
5 a short period of time, initially 120 days, in which to go
6 back to the court with a business plan, and we say our
7 liabilities are such-and-such, if we put this plan into
8 effect the people we owe money to, the creditors, will be in
9 a better position at the end of the day than if we are just
10 closed down immediately.

11 It is this stage we are now at of producing the
12 business plan. Shieldalloy has liabilities which are
13 unquantified to the Nuclear Regulatory Commission, to New
14 Jersey Department of Environmental Protection, to the Ohio
15 EPA and to the Federal EPA. There are things which need
16 correcting on all the sites, both of the sites, and we
17 cannot or have not yet put an amount on those. So until we
18 do, we cannot complete this business plan. With that in
19 mind, we have been to see the authorities and the NRC
20 understood exactly what we were saying and it is partly
21 because of that, I think, that this meeting and a similar
22 meeting in Ohio have been called.

23 At the Ohio meeting, we in our fact sheet --
24 incidentally, I hope you will all go away with the fact
25 sheet which is on the table at the back -- the fact sheet

1 said that to cart the material off to Utah would cost in the
2 region of \$350 million, and people in the audience
3 questioned that figure and said that they could do it for
4 \$250, remarks of that sort.

5 I wanted to tell the meeting that if it cost \$250
6 million or \$150 million or \$100 million dollars, Shieldalloy
7 and Metallurg just will not be able to do it. If it is done
8 at all, it will be done by the taxpayer. Shieldalloy would
9 then abandon the site, and I believe that the site would
10 remain abandoned because anyone who bought the site who
11 wanted to continue working on the site would still have the
12 liability for the slag that was there. So for that reason
13 we have to reject in our own minds carting the material
14 offsite and try and work with a cheaper method entirely
15 satisfactory and we believe ultimately safer method of
16 capping the piles and continuing the existence of
17 Shieldalloy as an employer in the area.

18 I don't really want to -- I believe that this
19 would be a low priority site on the NRC's list if it was
20 abandoned. It might be many, many years before the NRC
21 could afford to start cleaning it up, if we abandoned it.
22 So for that reason once more we are recommending onsite
23 disposal.

24 MR. CAMERON: Thank you, Mr. Finn. I am sure
25 there will be some questions for you later on and I thank

1 you for bringing those economic realities to light. I guess
2 I would only say that the scoping meeting that is being
3 conducted right now and the examination of alternatives is
4 an NRC decisionmaking document and that decision is going to
5 be based on the statutory responsibilities that the NRC has.

6 We have the Mayor of Newfield with us tonight,
7 Everett Marshall, who I believe wants to come up and make a
8 short statement.

9 Mayor Marshall, do you still want to say
10 something?

11 MAYOR MARSHALL: I am certainly happy with Mr.
12 Finn's comments. He answered one of the questions that I
13 had. My concern is, whose responsibility obviously would it
14 be if, in fact, Shieldalloy left the site. He has answered
15 that quite bluntly.

16 One of the problems that I have being a native of
17 Newfield for some 44 years, there are some people who are
18 sitting in the audience that have been there longer than I
19 have, is that the corporation has been very, very good at
20 times, bad at times, good neighbor/bad neighbor to the
21 community. It employs people in the community, it employs
22 people around the community. It pays a fair share of our
23 taxes in the Borough of Newfield. We certainly don't want
24 to see them abandon the site. We certainly want to protect
25 the citizens we have who live in the Borough of Newfield.

1 Whatever is done and, ultimately the NRC will make
2 that determination, you will have a written comment from the
3 Borough Government of the Borough of Newfield by the 15th of
4 January. We are here, we have several council people here,
5 we have our solicitor here. We are on a fact-finding
6 mission ourselves. We have gotten some of those facts
7 whether we liked them or disliked them. We will comment on
8 them by the 15th of January.

9 MR. CAMERON: Thank you very much, Mayor Marshall.

10 Now we are going to go to environmental and
11 citizen groups and I believe it is Patty Madden who is going
12 to address the audience at this point.

13 Am I correct in pronouncing your name, Patty?

14 MS. MADDEN: As far as the draft is concerned, I
15 misunderstood you. I would like to present the questions
16 that the environment groups have.

17 MR. CAMERON: Sure.

18 MS. MADDEN: First of all, most of you here know
19 who I am. I also represent a group called STOP that most of
20 the people in the Newfield area belong to. It is a TAG
21 grant that was granted to the residents of this area where
22 we could review reports that have been done on Shieldalloy,
23 and I misunderstood your question when you said speak with
24 the environmental -- I thought you meant I had environmental
25 questions from that group. But that is one of the things

1 that we do, we are here for that purpose, and that is not
2 only with the radiation but also with the water pollution
3 that the TAG grant has been trying to get reports from the
4 DEP and Shieldalloy that we have been reviewing to make sure
5 that what they are saying verifies what the report is
6 saying.

7 When it comes back to comments, I would like to
8 come back.

9 MR. CAMERON: Good. Thank you very much for
10 identifying the group, too.

11 Esther Berezofsky, do you want to say anything at
12 this point in terms of concerns or the group that you
13 represent, or do you want to wait until questions?

14 MS. BEREZOFSKY: I prefer to wait until the
15 question period.

16 MR. CAMERON: Okay, thank you.

17 I think we have already heard from the gentleman
18 who was up earlier in terms of site employees labor, and I
19 don't believe there is anybody else here who signed up in
20 that particular category. I believe that from the New
21 Jersey Department of Environmental Protection and Energy,
22 Fred Sickels is here as well as other people, and Fred is
23 going to make a statement at this point.

24 MR. SICKELS: My name is Fred Sickels. I am with
25 the New Jersey Department of Environmental Protection in the

1 Radiation Protection Programs. I really have only one
2 comment on the scope of the EIS, and it gets back a
3 jurisdictional issue that the NRC and the DEP have sort of
4 wrestled over for a while, and it has to do with the ferro-
5 vanadium piles.

6 We talk about ferro-columbium and the high
7 concentrations of Thorium-232 and some other things in them,
8 but we have a concern about the ferro-vanadium piles. Some
9 of our tests, at least as far as I could find in the files,
10 show that on ferro-vanadium, we have about between 15 and,
11 say, 39 picoCuries per gram of Thorium-232. It is our
12 understanding that initially the ferro-vanadium was not
13 radioactive. Something has gotten into those piles. We
14 don't know where from.

15 NRC, we understand that you regulate source
16 material and these levels are obviously below that.
17 However, there is some conflicting information as to how
18 these piles were contaminated, whether they did come in with
19 a certain level of radiation, whether because they were
20 perhaps processed in some of the same kettles with the other
21 materials that radioactivity was -- source material was
22 mixed with this previously non-radioactive material and
23 thereby contaminating it.

24 We would like to see as part of the environmental
25 impact statement that these piles be evaluated, one, to see

1 where, in fact, the radiation came from and whether it is
2 source material or not, and if it is a source material, we
3 would strongly -- we would, I guess, take the position that
4 the NRC should, since licensed material was in fact
5 contaminated material, that they would take responsibility
6 for that because these figures, as far as volumes go, are
7 pretty high, but it is our estimate there is upwards of
8 200,000 yards of this material on the site.

9 With the Federal Register Notice, I read only that
10 three piles were going to be considered, two of those are
11 ferro-columbium, and one is the baghouse pile. We would
12 strongly recommend that the ferro-vanadium be considered in
13 the Environmental Impact Statement to see where the
14 radiation came from.

15 Also, I am just basically here to state the
16 position of my office, but I would like to just say that we
17 will also offer written comments by January 15th.

18 Thank you.

19 MR. CAMERON: Thank you very much.

20 I know that there are going to be a lot of people
21 who are going to be making comments and asking questions.
22 In terms of citizens at large, we had one person who signed
23 up, and I would like to go to her now if she still wants to
24 speak.

25 Mary, would you like to come up and speak?

1 MS. GORGO: I would like to say that I live right
2 near the pile. If they say that there is no contamination,
3 they are crazy because at night from the shivering you can't
4 sleep. That pollution comes in your window. My house is
5 black. I showed you the picture of my house, did I show you
6 the picture of my house?

7 MR. CAMERON: Yes, I saw it.

8 MS. GORGO: What are they going to do about that?

9 I went to Shieldalloy when Mr. Smith was there,
10 and Mr. Marshall was there at the meeting, and they said
11 they were going to come over to my house and they were going
12 to do something about it. They didn't do one darned thing.
13 Another thing is the pollution comes right through -- I am
14 maybe a block away from Shieldalloy because my dad's field
15 is right near Shieldalloy, and my father couldn't even farm
16 because everything was dead from the chemicals. If they no
17 chemicals, they are crazy. If they say there is no radium,
18 they are crazy. It is terrible.

19 So many people in my family have already died from
20 cancer. I just had a sister six months ago die of cancer.
21 It is all from Shieldalloy. We had three of them on our
22 street, two last year. A girl, Holly Leshy, and my sister
23 died within six months.

24 UNIDENTIFIED SPEAKER: We can't hear back here.

25 MR. CAMERON: We are going to have to make sure

1 that the people can hear back there. Again, I think that
2 the transcript caught Mary's comments, and it will be
3 available if anybody is interested in reading it.

4 Mary, you may want to comment later on and amplify
5 on some of your remarks.

6 What I would like to do is open it up now and to
7 try to keep it somewhat organized. I think there are
8 probably plenty of questions that people have for the
9 company or messages or concerns that they might want to
10 express. So why don't we start off with any questions that
11 people might have for the company.

12 There was one question from earlier in terms of
13 what types of non-nuclear activities might be able to be
14 conducted at the facilities, so keep that one in mind,
15 Scott, and I would ask, can we start off with a question for
16 the company, Patty?

17 We are going to have to, not perhaps for the
18 transcriber but for the people in the audience, to make sure
19 you either speak up or come down here and talk into the
20 microphone, okay.

21 MS. MADDEN: This is for Mr. Finn. When you said
22 that Shieldalloy, if you are forced to close, say if it was
23 \$100 million to take this off, that the taxpayer would have
24 to take over the payment.

25 MR. FINN: Yes.

1 MS. MADDEN: My understanding was, when you
2 originally signed an agreement with the NRC -- I might be
3 incorrect in this, the NRC might want to correct me on this
4 one -- didn't you have to put up money up front?

5 MR. FINN: Yes, we did, but it was nothing like
6 \$100 million.

7 MS. MADDEN: I realize it is not \$100 million.

8 MR. FINN: It was a more modest sum and it
9 wouldn't cover the cost of moving the stuff offsite.

10 MS. MADDEN: So the monies that are put aside for
11 Shieldalloy, not only for the radiation but for the water
12 contamination also, is that being affected by Chapter 11?

13 MR. FINN: No.

14 MS. MADDEN: So that money is separate?

15 MR. FINN: I think I can say that, right, yes, it
16 is separate.

17 MS. MADDEN: So that if the company, God forbid,
18 does go Chapter 7, there is some monies available for the
19 continuation of the cleaning, not only of the radiation but
20 the water?

21 MR. FINN: Yes.

22 MS. MADDEN: But not enough to cover the removal
23 of it.

24 MR. FINN: To Utah, no.

25 MS. MADDEN: I really don't think anybody wants to

1 see this -- I don't know. It is hard to say. I don't want
2 it in my neighborhood, but I can't really see it driving
3 down the street either.

4 My next question is, if you leave it onsite -- now
5 we have gone through this before with the chromium where we
6 were told as residents of the area that the chromium was in
7 lined lagoons, it was safe. Now we all know that that is
8 not true. They were not lined lagoons. How can anybody in
9 this room that is a resident, and I don't mean this to be
10 facetious, trust what you say to us?

11 MR. FINN: I think if you look at the fact sheet,
12 I am not a scientist but one of the statements there is that
13 the slag is in glass-like form, and glass to the man in the
14 street, to use really something that doesn't leech but just
15 remains there.

16 MS. MADDEN: But they also talked about the cracks
17 and the dust that hasn't formed into the glass, that
18 leeching, that coming down.

19 MR. FINN: I really can't answer technical
20 questions of that sort.

21 MS. MADDEN: I think this is one of the questions
22 that we have that we would like to see addressed. The one
23 report that I believe was a fact sheet that Shieldalloy
24 turned in said that they did find the radiation in water
25 around the area. Maybe I have misread the -- I don't even

1 have the report right here. So that shows to me, if it is
2 not coming by air, then it has to be leeching.

3 MR. FINN: I really -- it wouldn't be proper for
4 me to answer that because I don't have the technical
5 knowledge.

6 MS. MADDEN: Would someone from the NRC be able to
7 answer that?

8 MR. CAMERON: Does anybody over there have any
9 information on it?

10 MR. WEBER: The SDMP summary sheet that you have,
11 it is a two-page document, it does mention that there was
12 offsite contamination found. It was found in the stream
13 that is adjacent to the facility.

14 MR. FINN: I think she was specifically thinking
15 about the groundwater.

16 MS. MADDEN: I was talking about the radiation
17 that was found in the water, yes.

18 MR. WEBER: Gary, do you want to elaborate on
19 that?

20 MR. COMFORT: Part of this is from what I was
21 mentioning before. Shieldalloy has in the past -- the lime
22 pile has had problems of migration. We haven't detected or
23 seen any kind of show that it is through the groundwater at
24 all, but there have been actual physical signs, back in 1990
25 where I originally went to the site the first time, that you

1 could see where the lime dust pile, through runoff of rain,
2 had dragged the pile off the site.

3 Shieldalloy is now, because of both that
4 inspection and now because of our renewal process, we are
5 requiring them to do something to prevent any further
6 migration. They are putting up berms around the side of the
7 piles. They are trying to put the cover on. At first they
8 were using gunnite, now they are talking about putting some
9 kind of perhaps other material type cover to hold it that
10 the dust won't permeate. NRC will evaluate those and look
11 at those as part of both the renewal and part of the
12 technology they may use for the EIS for the final
13 decommissioning.

14 Again, this is all -- for the decommissioning
15 portion, we are looking at all the alternatives. Could be
16 with the slag which is a very glass-like material, the
17 reports that we have seen are that it doesn't leech at all,
18 and glass has been used in other technologies for
19 solidifying of high-level waste. Not all glass is going to
20 hold radioactive material. Usually the glass used in high-
21 level waste is done through a very specific formulating
22 proces that is specific to the waste.

23 The studies, as I said, that they have done so far
24 show that there is not much leeching out of it. The biggest
25 problem with the migration offsite is from the dust pile,

1 and one of the alternatives may be to leave the material of
2 the slag onsite and to remove the dust pile slag or the dust
3 pile residue of the dust because there is problems with
4 migration, if they can't come up with a way to prevent it
5 from migrating offsite that is acceptable from our review,
6 then that may be one of the alternatives.

7 MS. MADDEN: What happens with the baghouses where
8 the dust is actually formed or created? You say it gets put
9 under a tarp and trapped. Now all of us have had the
10 question of, what happens while it is travelling to the
11 pile, but what happens when these bags go down, what happens
12 to the air?

13 There are so many farms located immediately around
14 that facility that people literally grow their food for the
15 winter. We do a lot of canning and freezing. What happens
16 to that food if these dust particles get on it? I know you
17 don't have the answers for me. You said you wanted our
18 questions, these are some of our questions. What happens?

19 What happens when their baghouse goes down?

20 MR. COMFORT: That portion of the question I won't
21 address in this form. I will take them as questions because
22 they are actually more particular to the continuing
23 operation, as I said, we are doing an environmental
24 assessment on that, and that is one of the questions that we
25 have been continually developing in this report and that we

1 are requesting the licensee -- actually, we are getting
2 ready to request the licensee for more information about it
3 before we do issue it because we are evaluating, what are
4 the emissions, what is the problem when the baghouse filter
5 breaks, what is the process.

6 We know a little bit about it, that they have a
7 flow control alarm which will trigger off and they will shut
8 down after that process and change out the bags and check
9 out all the other bags to make sure that they won't
10 continue. Their bags supposedly last about three to five
11 years, but you are going to run problems after that three-
12 to five-year process.

13 They have been operating for quite a long time,
14 you are going to have some failures. That is the thing that
15 we are evaluating in the environmental assessment which will
16 be a separate document which, when it is available, we will
17 be happy to provide you with our reading, and there will be
18 the same thing, a comment period, on that before we go and
19 renew the license if there are concerns on that.

20 Tonight's meeting is more so for the EIS for the
21 disposal, the eventual disposal of the material when they
22 cease operating, but I will be happy to talk to you about
23 the operating conditions at any time after this, too.

24 MS. MADDEN: If they cap it and leave it, like
25 they would leave it on-site, can you guarantee me that

1 there's no way that can leech into the water?

2 MR. COMFORT: I can't say right now. I mean, that
3 is part of what we are doing, part of the environmental
4 assessment that we are doing and also the environmental
5 impact statement will evaluate more fully to a further
6 extent truthfully.

7 You know, so far, we worked on the signs of what
8 has been happening because different places have different
9 characteristics, the soil, the water, et cetera.

10 I think Mike will want to continue on that.
11 Michael?

12 MR. WEBER: Let me comment. I can't imagine that
13 we could ever give an absolute guarantee through the best
14 data, the best analysis that we can do, the best information
15 that the licensee can collect. What we would aim for is to
16 ensure that the probability is low enough or the likelihood
17 is low enough so that it won't pose any significant hazard
18 in the future. I mean, that is our objective.

19 We look for something called reasonable assurance,
20 and I know it is not very comforting in most cases, but, you
21 know, if we take a cut at it and you feel that there isn't
22 sufficient demonstration provided on that aspect, comment on
23 that when you read the draft environmental impact statement.

24 MR. CAMERON: Gary brought up again something he
25 mentioned earlier, which is the environmental assessment on

1 the continued operation of the plant and some of Patty's
2 questions went to that.

3 I think that the NRC would use the mailing list
4 that we have developed from the people who signed up tonight
5 to also inform people of that environmental assessment
6 process on continuing operation.

7 Now, are there other questions for Mr. Eves or Mr.
8 Finn from Shieldalloy at this point? Esther, do you have a
9 question for the company?

10 MS. BEREZOFSKY: I am Esther Berezofsky. I am an
11 attorney. I represent some of the residents in the
12 Newfield-Vineland area in litigation against Shieldalloy.

13 MR. CAMERON: I think as a matter of course, we
14 better just use the microphone from now on. I was hoping we
15 could do without it, but I think it would be better.

16 MS. BEREZOFSKY: Okay. I have a number of
17 questions, but this in particular is directed at Mr. Eves,
18 who made the statement that there is no evidence that the
19 radionuclides have migrated off site, and I was somewhat
20 perplexed by that and I was wondering if you were aware of
21 either the Oak Ridge study as well as the EPA evaluation of
22 the Oak Ridge study which in fact and indeed found that
23 there has been significant migration off-site of the
24 radioactive materials into the community.

25 MR. CAMERON: Mr. Eves, I think you probably

1 better come down, if you could. It sounds like it is more
2 than a yes or a no answer.

3 MR. EVES: I don't think that I said in my
4 presentation that the radionuclides had never migrated off-
5 site. They have. There's extremely low levels found in
6 Hudson's Branch in surface water and that may be mentioned
7 in the report that you are speaking of.

8 MS. BEREZOFSKY: My understanding is there is
9 evidence of migration and more than just Hudson's Branch.
10 Are you making the statement that the only evidence that you
11 are aware of of off-site migration of radioactive materials
12 is into the Hudson's Branch?

13 MR. EVES: The only migration of source materials
14 that I am aware of is in Hudson's Branch, that's correct.

15 MR. CAMERON: Okay. While we have Mr. Eves down
16 here, and we will come back to you for further comment,
17 Esther, while we have Mr. Eves here, are there some
18 questions for Mr. Eves or Mr. Finn? Yes, ma'am?

19 MS. GATTO: I live on Rena Street right in back of
20 the plant. My house is turning orange and many, many more
21 up the street. Could you tell me what it is? I had Mr.
22 Okioki out there years and years ago. It is all orange and
23 all up the street. And I called them many times in the
24 middle of the night that they used to let this whatever come
25 out. If you want to come and see the houses up on Rena

1 Street, they are all orange.

2 MR. EVES: I will come and look at your house. I
3 have never seen it; I couldn't comment on why it is orange.

4 MS. GATTO: Were you with Mr. Okioki at the time?

5 MR. SMITH: Yes.

6 MS. GATTO: Yes. He came to my house, too -- Mr.
7 Smith. So I don't know what it is, but all the houses up
8 the street are turning orange. In fact, one girl was on
9 television a couple of years ago.

10 MR. CAMERON: I think that from what Mr. Eves said
11 that the company would be willing to come out and take a
12 look.

13 MS. GATTO: That was ten years ago.

14 MR. CAMERON: The woman in the back from the
15 Emergency Response? I think you are going to have to come
16 down or yell.

17 MS. BILLINGS: How far down the Branch did you
18 find the radioactive material?

19 MR. EVES: From the facility across Northwest
20 Boulevard and down as far as the -- I think it's the
21 Vineland Carwash on Weymouth Road.

22 MS. BILLINGS: To where?

23 MR. EVES: The Vineland Carwash, North Vineland
24 Carwash on Weymouth Road.

25 MR. CAMERON: Okay. Go ahead, sir, in the back.

1 MR. MOYNIHAN: The company now is bringing the
2 chromium back. You are bringing them back, you putting them
3 through something like a deionizer or a reverse osmosis
4 deionizer, whatever. I want to know, number one, after the
5 chromium is purified according to you, does it meet the
6 Clean Drinking Water Act when it is discharged back into the
7 Hudson Branch?

8 MR. EVES: Yes, it does.

9 MR. MOYNIHAN: It meets the drinking water
10 standard?

11 MR. EVES: For chromium, that is correct.

12 MR. MOYNIHAN: For chromium.

13 MR. EVES: Yes.

14 MR. MOYNIHAN: I am saying for drinking.

15 MR. EVES: The general answer would be yes. The
16 specific answer is that the remediation technique is for
17 chromium and that is really all we measure on a routine
18 basis. There is no reason to think there would be any other
19 contaminants in there.

20 MR. MOYNIHAN: The resin in that purifier or
21 whatever you call it, the deionizer, the resin --

22 MR. EVES: Let's back up for a minute, if I may
23 interrupt you. It is an electrochemical cell. There are no
24 resins in the system at all.

25 MR. MOYNIHAN: There are no resins.

1 MR. EVES: That's correct.

2 MR. MOYNIHAN: That's not what you told our
3 counsel.

4 MR. FINN: The system has changed.

5 MR. MOYNIHAN: Oh, it has changed.

6 MR. EVES: This is a system that was put in at the
7 very end of last year.

8 MR. MOYNIHAN: Oh. A question to this gentleman,
9 or just a comment.

10 MR. CAMERON: I would just say that I know that
11 everybody has questions for the company, and indeed we asked
12 you to ask them. There is a dialogue that can occur between
13 the company and the community that might be broader than the
14 decommissioning alternatives that the NRC is looking at now.
15 But why don't you go ahead and ask your question.

16 MR. MOYNIHAN: My comment is that you said glass
17 does not leach. That is not true.

18 It sounds like it is a foregone conclusion on the
19 part of the company that if you cannot clean this stuff on
20 site, you are going to monitor it. You can't afford to move
21 it off-site, true? My assumption is this, that we will be
22 monitoring wells, piles, that we will be air monitoring --

23 MR. FINN: On somewhat of a regular basis.

24 MR. MOYNIHAN: Some type of air monitoring.

25 Assume even though you get the okay to encapsulate on-site,

1 your business plans do not work out and you still must go to
2 Chapter 7. Who monitors this site until the year 2020 or
3 whatever the year may be?

4 MR. FINN: I don't know.

5 MR. MOYNIHAN: You don't know. In other words,
6 even if you get the okay to do what you want to do and your
7 business plans do not become what you need them to do, we
8 are still stuck with the monitoring, or who is?

9 MR. CAMERON: I think that that is probably a
10 question that the NRC might be able to shed some light on in
11 the context that it was asked. Would anybody from the NRC
12 like to address that?

13 MR. WEBER: The question is who is going to
14 monitor the site if Shieldalloy liquidates under Chapter 7.
15 If that occurred, there are a couple of options that we
16 would be facing in terms of what is to be done with the
17 contamination on site. One option, and we haven't pursued
18 this with the Federal EPA yet, but certainly Superfund is
19 out there and we would be hurriedly discussing with them as
20 well as the state what opportunities exist through that
21 program.

22 Another option might be, for example, the
23 Department of Energy. I am not aware that any material was
24 produced at this facility that was sold to the government
25 for defense nuclear purposes, but in the past the Department

1 has taken contaminated sites either legislatively or on
2 their own initiative when there has been indications that
3 material was sold to the government for some purpose.

4 Now, under both of those scenarios, whatever
5 remedy was selected, there would probably be some
6 institutional controls set up to provide for the kind of
7 monitoring that will be necessary to ensure that the
8 material stayed put and to ensure that there is continuing
9 protection of the local citizens as well as the environment
10 in general.

11 In addition, NRC retains its authority for this
12 material and it is likely that we would continue to perform
13 some sort of ongoing monitoring to confirm whatever
14 measurements were taken or, at the very least, reviewing the
15 monitor data collected by what everybody is out there taking
16 this kind of information.

17 MR. CAMERON: Would that type of information, that
18 type of material be addressed in the generic environmental -
19 - or in the environmental impact statement on the decision?
20 Would some of that information be presented?

21 MR. WEBER: In terms of the on-site disposal
22 alternative, there would be consideration of what mechanisms
23 would exist to continue to monitor that as well as do you
24 need to maintain fences and what kind of property notices do
25 you need and boundary markers and site notifications and all

1 sorts of things like that. So that will be considered, yes.

2 MR. CAMERON: I know there are going to be more
3 questions for Mr. Finn and Mr. Eves, but I think what I
4 will do is -- you can either stay up here or sit down -- but
5 open it up for questions generally from people who we have
6 not heard from so far. I would ask the lady with the
7 pearls. Can you come up, please.

8 MS. BLANDINO: My question is for the NRC.

9 Now, the one gentleman said that in the event that
10 this company went to Chapter 7 and abandoned this site, that
11 perhaps -- this is a regulated, a licensed proces -- perhaps
12 sometime in the future another company might want to come in
13 there and proceed with the same process that Shieldalloy is
14 doing now.

15 Now, what my question is, is who regulates who
16 comes in there and who doesn't? Is this going to stay in
17 the scope of the NRC or does the borough council have
18 anything to say about the future use of that plant.

19 MR. WEBER: In terms of the authority, the
20 authority continues with the NRC.

21 MS. BLANDINO: Will borough be invited to comment
22 on that, have any say whatsoever, or is it just anybody that
23 the NRC wants, they say okay, you go ahead, you go back in
24 and you continue with this process.

25 MR. WEBER: I think it is fair to say we are

1 always interested in hearing from local government
2 institutions as well as other organizations on their views
3 with respect to future use of the property.

4 MS. BLANDINO: Their views will be listened to,
5 but there will be no -- we will have no control whatsoever.
6 Do I understand that right?

7 MR. WEBER: Well, the concern here is that the NRC
8 as a Federal agency can't delegate its authority to make
9 decisions to anybody other than itself.

10 MS. BLANDINO: Will they consider the wants of the
11 local government and the people?

12 MR. WEBER: Certainly.

13 MS. BLANDINO: Will that have any effect
14 whatsoever on their determination of what will go in there
15 in the future, if anything?

16 MR. WEBER: I can't commit one way or the other.
17 It would depend on the circumstances.

18 MR. CAMERON: I guess I would just clarify for you
19 there, if I get the gist of your question, is that in
20 addition to all of the procedures that allow members of the
21 public and local government to participate in any decisions
22 the NRC makes in regard to use of radioactive material at a
23 site, the local government still has, you know, it's usual
24 zoning authority under police power in terms of what types
25 of facilities it wants to have in its community.

1 MS. BLANDINO: I have been in Newfield since 1939,
2 and prior to Metallurgical going in there, that was the
3 Newfield Glass Company and they had that big tank there and
4 the pipe and the tanks went in there to melt the glass, and
5 I understand that Shieldalloy has utilized that.

6 Now, somewhere along the line, this chromium
7 process moved in there and this other stuff moved in there,
8 and I don't recall the borough council ever having anything
9 to say about that. We are stuck with this now, as near as I
10 can see. I just want to know why the local government --
11 could we, with our zoning and this and that, keep that from
12 ever being used for this again?

13 MR. CAMERON: Those questions, you know, obviously
14 would have to be addressed to your local government rather
15 than to the NRC.

16 MS. BLANDINO: I don't think they know anything
17 more about it than I do, what is going to happen in the
18 future.

19 MR. CAMERON: It sounds like they are here to find
20 out.

21 This gentleman right here.

22 MR. SHEELER: This is a question -- you know, you
23 have the NRC here now. They have addressed it. They are
24 under Chapter 11 at this point in time. They have 120 days
25 to come up with a plan to reorganize monetarily. Will the

1 NRC be able to decide what method of disposal will be
2 acceptable in that time frame. That is question number one.

3 MR. WEBER: No.

4 MR. SHEELER: Okay. Question number 2 then lends
5 itself to if in fact they are asking for renewal of their
6 license, you are then deciding how much money for them to
7 put in escrow. Will that be decided in 120 days?

8 MR. COMFORT: Yes, before the license is renewed,
9 they will have to come up with an amount of money based upon
10 a plan that is accepted by the NRC for a certain amount. We
11 will not come up with that number in 120 days, no.

12 Part of basically our commitment to the licensees
13 is in that 120-day period to tell them whether we will not
14 continue on with -- or we think the process will -- we will
15 continue on with the process, but there is an absolute
16 certainty that nothing will -- you know, that we won't allow
17 that to go on site and they will make the decision off of
18 that. We cannot make a decision about whether we will allow
19 them to do it or not until the environmental impact
20 statement is done.

21 MR. SHEELER: My next question is to Mr. Finn.
22 When is the 120-day period up?

23 MR. FINN: The 120-day period is up on the 31st of
24 December, but on the 21st of December we are going to court
25 to ask the judge to give us extended time, and it's one of

1 these things -- you ask for six months and you get three,
2 something of that order.

3 MR. SHEELER: Is the NRC willing to go with them
4 at that point in time when you are going to court to
5 represent the NRC as being unable to represent that number?

6 MR. CAMERON: Bob Fonner from the NRC Office of
7 General Counsel I believe can answer that question.

8 MR. FONNER: I am Robert Fonner from the general
9 counsel's office in the Nuclear Regulatory Commission.

10 The United States Government is represented in the
11 bankruptcy by the U.S. Attorney for the Southern District of
12 New York and by attorneys in the Department of Justice. We
13 do not represent either the NRC or the U.S. Government in
14 any form in that proceeding. Our jurisdiction to go into
15 court is limited to Courts of Appeal for cases involving our
16 rules and our licenses and we have no authority to
17 participate in the bankruptcy proceeding.

18 So our position, the government's position is
19 dictated by the Department of Justice and the U.S.
20 Attorney's Office.

21 MR. SHEELER: That's well and true, but as I
22 understand it, under bankruptcy, you would have been named
23 basically as one of the creditors.

24 MR. FONNER: We are. NRC is listed as a creditor
25 for a contingent environmental liability, that's correct.

1 MR. SHEELER: Okay. I would say at that point,
2 when they asked for the extension, there should be somebody
3 there to represent the creditor, which is the NRC.

4 MR. FONNER: The U.S. Attorney for the Southern
5 District of New York will represent the NRC as well as the
6 U.S. EPA and other departments of the government that may
7 have an interest.

8 MR. SHEELER: So, in fact, there will be somebody
9 there from the NRC?

10 MR. FONNER: I cannot say whether there will be
11 somebody there for the upcoming hearing on December 21 on
12 the extension of the date.

13 MR. SHEELER: I would look into it pretty
14 severely.

15 I have another question for Mr. Finn and I think a
16 lot of people will have this question probably also, because
17 the viability of your company is basically what is going to
18 get us more money for the capping process because in order
19 to continue, you are going to have to perform properly or
20 you are not going to get a new license.

21 MR. FINN: Yes.

22 MR. SHEELER: If you don't get a new license, you
23 don't continue.

24 MR. FINN: Yes.

25 MR. SHEELER: You are selling material that the

1 other fellow stated is -- you are the only manufacturers in
2 the United States.

3 MR. FINN: Yes.

4 MR. SHEELER: Is there a continuing viable market
5 for your product?

6 MR. FINN: The market is there, certainly. But
7 there are competitors overseas who make the stuff who sell
8 it in the United States just the same as we do. But it is
9 not domestic competition we are facing; it is overseas
10 competition.

11 MR. SHEELER: Okay.

12 MR. FINN: Specifically Brazilian, in fact,

13 MR. SHEELER: In lieu of the fact that the NRC is
14 now saying, in fact, that they have no idea how much to tell
15 you this is going to cost or how much money to put in
16 escrow, et cetera, et cetera -- and I have one more question
17 after this -- how do you feel your extension will go on the
18 21st?

19 MR. FINN: All I can say is that we are in there
20 fighting. It is an unclear picture, but we are trying to
21 make it clearer and trying every possible way to stay
22 afloat, and this is one of several problems we have to
23 overcome. It is a difficult one because it is a shapeless,
24 formless object and we don't quite know the size of it.

25 MR. SHEELER: It happens to come that way with

1 government.

2 Okay. So the next question that I have --

3 MR. CAMERON: This is the last question.

4 MR. SHEELER: Yes, it is. I think everybody ought
5 to know this. What amount of money was placed in escrow at
6 what time previously?

7 MR. FINN: We are talking about the --

8 MR. SHEELER: The original escrow.

9 MR. FINN: we are talking about Newfield-NRC?

10 MR. SHEELER: Yes, for this site.

11 MR. FINN: Three-fourths of a million dollars.

12 MR. SHEELER: And at what time was that put in?
13 What date?

14 MR. FINN: I would guess at least four or five
15 years ago, I would guess.

16 MR. SHEELER: So that is not more than a million
17 dollars at this point for clean-up.

18 MR. FINN: It is not even that. It is still
19 three-quarters of a million because it is in the form of
20 what is called a stand-by letter of credit. It doesn't
21 grow. It is not a sum of money which is --

22 MR. SHEELER: You did not place a sum of money;
23 you basically just had a bond with somebody?

24 MR. FINN: Yes.

25 MR. SHEELER: Thank you.

1 MR. CAMERON: I think Mike is going to clarify
2 something on that for you, too, and then I believe we have
3 someone from the local government who might want to make a
4 comment back there.

5 MR. WEBER: Just to clarify, a couple of times
6 tonight the questions have come up about financial assurance
7 for decommissioning and NRC's requirements.

8 NRC enacted those requirements for most licensees
9 back in 1988; it became effective shortly thereafter. By
10 July '90, I believe it is, most materials licensees --
11 that's people who handle radioactive materials under our
12 regulatory jurisdiction -- that possess significant
13 quantities of those materials had to come up with financial
14 assurance for decommissioning.

15 Now, the Commission envisioned a transition period
16 where the first time around, licensees would be able to put
17 up some minimal amount of money through certification and
18 escrow accounts have been mentioned several times. That is
19 one alternative. There are other alternatives, like letters
20 of credit, surety mechanisms, sinking funds, things like
21 this. So the concept is not putting aside a large amount of
22 money in waiting, but there has to be some assurance that
23 the financial resources will be there for decommissioning.

24 The way the regulations were written, there is a
25 period of time after which then the licensee would have to

1 come in and submit what is called a decommissioning funding
2 plan along with an upgraded financial instrument which
3 matched the estimated cost for decommissioning.

4 In fact, what has happened to Shieldalloy is they
5 met the first requirement of certifying the minimal level,
6 but they are in this transition period, too, and they have
7 not yet come in and submitted their estimate for
8 decommissioning costs along with the upgraded financial
9 instrument. That is one of the issues tied to the renewal
10 of the license here in Newfield and that issue would have to
11 be settled prior to issuing the renewed license.

12 MR. CAMERON: Thanks very much, Mike.

13 Bill, do you want to come up and identify yourself
14 and what your affiliation is?

15 MR. QUIGLEY: Yes. My name is Bill Quigley. I am
16 with the Borough Council of Newfield.

17 In talking to some other folks who couldn't make
18 it here tonight, there are basically two concerns, the first
19 being the environmental impact and stuff like that of what
20 is going on with Shieldalloy. The second, which here lately
21 has been the biggest concern, is your Chapter 11 and your
22 leaving.

23 I think most of the people in Newfield don't want
24 to see you leave and go away because that is going to create
25 a bigger problem for us in Newfield. So if it seems like

1 you are being beat up a little, you know, we don't want you
2 to go away. We just want some answers and things to work
3 out smooth.

4 Now, I do have a question for I guess maybe the
5 NRC and Mr. Finn. Part of your Chapter 11, is that due to
6 fines that the NRC and DEP and other agencies are putting
7 onto you or is that just because of bad business practices
8 or lack of business?

9 MR. FINN: It's all sorts of things. Big
10 liabilities which are coming closer from the environmental
11 authorities, and our market being flooded by competing
12 materials from Eastern Europe and the former Russian --
13 Soviet Union countries and other things.

14 MR. QUIGLEY: How much of that is to be fines?

15 MR. FINN: Oh, fines --

16 MR. QUIGLEY: Are there basically business reason
17 why you are doing a Chapter 11?

18 MR. FINN: Fines are not a significant factor.

19 MR. QUIGLEY: All right, because one of our
20 concerns would be that the Government would put you out of
21 business and, in turn, it would be the Government that would
22 end up paying for it.

23 MR. FINN: Yes.

24 MR. QUIGLEY: I think especially the residents of
25 Newfield don't want to have to foot that bill. So we do

1 want to see you stay in business and not go away. I think
2 that is one of our major concerns at this time.

3 MR. FINN: Yes,

4 MR. CAMERON: Okay. Thank you very much, Bill.

5 Esther, would you like to come down?

6 MS. BEREZOFSKY: Yes, I have a couple of
7 questions. One, who is actually going to be conducting the
8 Environmental Impact Statement? Is it the NRC or is it
9 going to be contracted out?

10 MR. WEBER: NRC has contracted with Oak Ridge
11 National Laboratory to provide assistance in drafting the
12 Environmental Impact Statement, but the NRC issues the EIS.
13 So the process is the contractor does the analysis and
14 formulates recommendations. That comes to the NRC.

15 Then we absorb that document, add to it, take from
16 it, whatever, and then issue it as a draft. We go through
17 the same process in issuing the final.

18 MS. BEREZOFSKY: Who pays the Oak Ridge people to
19 do the study?

20 MR. WEBER: NRC pays Oak Ridge to do the study.

21 MS. BEREZOFSKY: Okay. It is -- Shieldalloy is
22 not the --

23 MR. WEBER: But Shieldalloy pays --

24 [Laughter.]

25 MR. WEBER: I couldn't complete the second one. I

1 was sure that he was going to beat me to it.

2 NRC pays the -- Shieldalloy pays the NRC, then,
3 because our Agency is currently 100 percent funded by the
4 licensees. Now, that sounds bad but that is the way the
5 legislation that Congress enacted paid -- set it up. That
6 was to ensure that we were not a drain on the Federal
7 budget.

8 MS. BEREZOFSKY: So just so that we are real
9 clear, the NRC that contracts with Oak Ridge to do the
10 study, which is essentially paid for by Shieldalloy?

11 MR. WEBER: Ultimately.

12 MS. BEREZOFSKY: Okay.

13 MR. CAMERON: By all -- I think it paid for by all
14 licensees. It is not like Shieldalloy is billed for the
15 study or indeed has any control over the study or over the
16 NRC actions. It is just that the NRC's operating budget
17 generally is comprised of fees from all licensees, but there
18 is not anything close to one-to-one correspondence on NRC
19 actions towards the specific licensee and licensee fee.

20 MS. BEREZOFSKY: Okay. Also, are there any plans
21 for doing any comprehensive testing in both groundwater soil
22 -- not in both, but in groundwater soil and air off-site of
23 the migration of the radioactive materials to determine
24 whether there has been migration or what the environmental
25 impact has been off-site to date?

1 MR. WEBER: What we have been discussing inside
2 the NRC over just the last several weeks since we initiated
3 this process is to sit down at this point and identify where
4 there may be additional data needs to develop the
5 Environmental Impact Statement so that we can start that
6 process now to collect the information.

7 Now, that information could be collected several
8 ways. One, having identified those needs, we could go to
9 the licensee and say, "Based on our evaluation, we need the
10 following information and you are best suited to collect
11 it."

12 MS. BEREZOFSKY: Okay. What I am suggesting is,
13 and this is a request, or a suggestion, is that there ought
14 to be independent testing done not by the licensee, but a
15 independent analysis of what the off-site migration has
16 been, both into soil and water and air.

17 There has been evidence of radionuclides in
18 residential wells. There is data to that effect that has
19 been generated. I think there needs to be some independent
20 study of that issue. I don't -- if there has been leeching
21 at all over the time, then there is indication that there
22 would continue to be leeching over more time.

23 So, I would wonder how one would come up with an
24 Environmental Impact Statement without looking at what the
25 environmental impact has been to date on the community.

1 MR. WEBER: Okay.

2 MS. BEREZOFSKY: I have one other question, and
3 that is: What effect, if any, does Shieldalloy, or Mike
4 Finn's position that they will abandon -- that Shieldalloy
5 will abandon the site if, in fact, the NRC does not agree to
6 the plan, have on the NRC's approving the plan?

7 MR. WEBER: The NRC is a health and safety agency,
8 so our primary charter is to ensure the health and safety of
9 the public. That is the paramount concern that we have in
10 conducting this type of analysis.

11 Now, as we point out in the scoping analysis, we
12 do identify that some of the impacts considered are cost as
13 well as social impact. So that has to be factored in. But
14 in whatever decision the NRC makes, it has to foremost
15 satisfy itself and the local community that that decision is
16 going to provide adequate protection.

17 MS. BEREZOFSKY: Sure. That is why I am saying if
18 the real opinion -- I mean, you talked about a number of
19 options, one of them being off-site disposal of the waste.

20 But it sounds to me now that we are really not
21 talking about that as being a viable option because the
22 position that Shieldalloy has taken is: "Look, either we
23 are going to have to find a way to dispose -- to leave it
24 on-site, or we are going to abandon the site," which it
25 seems to me that from the NRC's perspective would not be

1 satisfactory with respect to the health and safety concern
2 of the community.

3 MR. WEBER: The off-site disposal options may
4 still be viable. We don't know. We have to go through the
5 analysis to determine that. We haven't done that yet.

6 MS. BEREZOFSKY: Okay. Thank you.

7 MR. CAMERON: This woman has been waiting
8 patiently here for awhile.

9 MS. BARSOTTI: Okay. My name is Antoinette
10 Barsotti. I would like to invite both of you to my home on
11 Ohio Avenue to see the brown that is on there and on my car,
12 and inside my home on the window sills. When I had my
13 television repaired, the repairman said if my body looks
14 like the inside of my television, I'm in pretty bad shape.

15 My plants are black in the summer. So, I would
16 like you to come down there. I am the only house on the
17 street.

18 MR. CAMERON: Thank you.

19 Donna?

20 MS. GAFFIGAN: May I respond to that?

21 MR. CAMERON: Could you come down, please? Please
22 identify yourself, too.

23 MS. GAFFIGAN: My name is Donna Gaffigan. I am
24 with the New Jersey Department of Environmental Protection
25 and Energy.

1 I am not here specifically to defend Shieldalloy
2 but it seems like at the last public meeting we had, not
3 related to the NRC issues, the issue of darkening of the
4 houses has come up. At our last public meeting, we had
5 someone from our air program who monitors the air emissions
6 from Shieldalloy.

7 It was his opinion that since they no longer use
8 some of their processes, some of the grandfathered emissions
9 are no longer used any more, that there should not be any
10 more discoloration of the houses.

11 Another thing that he brought up was that they
12 only respond if there are citizen's complaints specifically
13 to the DEP hotline for the air people to come out and look:

14 MS. BARSOTTI: They came out 15 or 20 years ago.

15 MS. GAFFIGAN: Okay, well --

16 MS. BARSOTTI: They came out and told me to write
17 down the times and all of that, but this is still going on.
18 There are still small particles on my car every day. I wash
19 the car every other day or so to get them off.

20 MS. GAFFIGAN: Okay. Well, my comment or my
21 response to you is: Call them every single day. They have
22 people that drive around at night so far as I know.

23 MS. BARSOTTI: The next question was: How can I
24 privately get my ground tested because this year was the
25 worst year with my flowers. Everything was black. They

1 were black. It looked like they had just rotted.

2 MR. CAMERON: Well, it sounds like Donna is
3 suggesting at least one part of the answer.

4 Do you have anything else?

5 MS. GAFFIGAN: No.

6 MR. CAMERON: Okay. Thank you very much, Donna.

7 This gentleman back here? Right there. You.

8 Come on down.

9 MR. JAREMA: I just wanted to say one or two
10 things. I live in Newfield, but not in the town. I guess I
11 would ask -- and Mr. Eves probably could be -- or maybe Mr.
12 Weber would know -- where does that water come from? You
13 bring it -- how is it brought into Newfield? By train? The
14 water? The niobium ore? How is it brought in?

15 MR. EVES: It is brought in by truck.

16 MR. JAREMA: By truck?

17 MR. EVES: Yes.

18 MR. JAREMA: So whatever way -- if you want to
19 dispose of it off-site -- I mean, I assume all you do is
20 remove some of what you want out of it, like the metal being
21 -- you take it away, and whatever is left is left. I mean,
22 you really haven't appreciably changed the concentration
23 much by taking out some of the niobium. I mean, you have
24 taken away a little bit of it, you say to me. So you have
25 changed the concentration somewhat but not significantly.

1 MR. EVES: The volume of slag is larger than the
2 volume of material we bring in because of the process that
3 is used.

4 MR. JAREMA: Really?

5 MR. EVES: Yes.

6 MR. JAREMA: Oh, you mean you actually -- in
7 effect, I mean, as far as the radionuclides, you have
8 actually decreased their concentration?

9 MR. EVES: In the slag, that's correct, yes, from
10 the concentration that comes in.

11 MR. JAREMA: Once it comes in, that is where they
12 end up, right? Then wherever this comes from -- where do it
13 come from?

14 MR. EVES: It comes from Canada.

15 MR. JAREMA: Canada? Oh, I see. What would be
16 the problem with -- you know, for instance, suppose
17 Shieldalloy got the ore shipped down and then didn't do
18 anything with it. Just didn't do anything with it, just
19 shipped it back and dumped it. I mean, it wouldn't make any
20 difference. I mean, nobody would care, theoretically.

21 But wouldn't they? I mean, the NRC actually would
22 take an interest because there are controlled substances
23 involved here to go along with the niobium.

24 MR. EVES: I think there is a wide gray line here
25 that maybe the NRC would be in a better position to answer,

1 but I think your approach is true, that they would not be
2 interested in it.

3 MR. JAREMA: Yes, I don't understand why it is
4 going to cost so much to get rid of this slag which was some
5 place in the first place. I mean, it was there. People
6 were living there or around there. It came through by
7 trucks and things like that. Why does it cost hundreds of
8 millions of dollars to dispose of it?

9 MR. PIERSON: I'm Bob Pierson, the Chief of the
10 Fuel Cycle Licensing Branch at the Nuclear Regulatory
11 Commission.

12 The first thing you need to understand is that the
13 regulatory process which we regulate thorium and uranium is
14 a holdover from a period of time in the early part of the
15 Atomic Energy enterprise when we were concerned about the
16 availability of what we called source materials.

17 In terms of the availability of source material,
18 we have a regulation that we developed at that time that
19 said that if a concentration of thorium and uranium, or
20 combined thorium and uranium, reaches one-twentieth of one
21 percent, we the Government are interested in knowing where
22 it is in terms of availability of source material.

23 In other words, if we would need this as a
24 strategic asset, where would we go to find it? Now, that is
25 what caused the initial regulation to be developed in the

1 first place.

2 Now, it is interesting -- and what you say is
3 technically correct. When the ore comes in from Canada, it
4 hasn't been processed or changed by anyone in the United
5 States. We are not, in fact, interested in it because it
6 hasn't gone through a fabrication process.

7 Now once it goes through a fabrication process it
8 becomes, by definition, this source material, and we are
9 interested in regulating it. When it becomes regulation,
10 then it requires a license issued by us. It maintains that
11 license until it is reduced to levels such that we can
12 release it for general release which you saw in the early
13 slides, or it has to be sent to someone else who has a
14 license.

15 So, this is an issue where the regulation has tied
16 together multiple things. It is probably superseded by time
17 because the reason we set up the regulation initially was to
18 account for source material. But we don't want to drop the
19 regulation now because we are concerned about it in terms of
20 health effects.

21 In fact, if we go back and revise these
22 regulations, we will probably revise the concentrations of
23 thorium, uranium, based on health effects, not based on the
24 strategic in this particular issue here.

25 Does that help you understand it?

1 MR. JAREMA: Yes, I was really wondering why it
2 was so expensive to dispose of something that just --

3 MR. PIERSON: Well, it is because it becomes
4 licensing material as part of the process.

5 MR. JAREMA: But it licensable material before it
6 even came into the United States.

7 MR. PIERSON: Well no, it was not licensable
8 material before it came in.

9 MR. JAREMA: Well, they didn't change the
10 concentration.

11 MR. PIERSON: It hasn't been changed or altered as
12 part because otherwise we would be going out and licensing
13 mountain ranges in Colorado; do you see what I am saying?

14 MR. JAREMA: Yes. Exactly.

15 MR. PIERSON: It becomes licensable material as
16 soon as man does something with it, as soon as man changes
17 or alters or processes it. Then it becomes licensable
18 material. That is an artifact because when the regulation
19 was developed, we wanted to know strategically where thorium
20 and uranium were.

21 MR. JAREMA: Yes, where you want to keep track of
22 it?

23 MR. PIERSON: That's right.

24 MR. JAREMA: Track it, the main thing. I mean,
25 but Shieldalloy doesn't do anything, you know, to change

1 that concentration or anything like that. It is like, "Why
2 does it become" --

3 MR. PIERSON: Well, they do change the
4 concentration somewhat, but in fact, they probably reduce
5 the concentration.

6 MR. JAREMA: Yes, that is what this fellow just
7 said that they probably reduced the concentration. The only
8 thing is that bring it into New Jersey.

9 MR. PIERSON: I won't try to explain to you and
10 say that is the logical outcome. I am just trying to give
11 you some historical perspective of why we regulate this
12 material in the first place.

13 Now, it turns out that we would probably regulate
14 it anyway in terms of health and safety, but on a different
15 basis.

16 MR. CAMERON: Mike, do you have one last thing to
17 add on this? Then you can talk later on more about the
18 historical perspective.

19 MR. WEBER: Why it cost so much, which was your
20 question to get rid of it?

21 MR. JAREMA: Yes.

22 MR. WEBER: Why it costs so much is that there is
23 a limited market -- well, there is a limited capacity to
24 take this stuff for disposal. The people who are licensed
25 to take this material are -- have invested capital resources

1 as well as other things in procuring a license to run a
2 waste disposal facility. When there is a limited capacity
3 like that, it is a buyer's market. They can charge what
4 they feel is appropriate to recoup their costs.

5 MR. JAREMA: I am just saying that -- I mean you
6 took it out of the ground and everything like that. It
7 didn't make it more poisonous or more radioactive in
8 concentration or anything like that. Why can't you just
9 dump it where you got it, or something like that, back to
10 Canada?

11 But the only other thing, it seems to me, is that
12 they then bring it into New Jersey that we as New Jerseyites
13 -- and I am a Newfield resident -- would care about stuff.
14 They bring it here. Then they don't take it away. I mean,
15 it is like it just comes in and doesn't go away.

16 Also, they powder it over there. I guess that is
17 in the course of preparing to smelt it, or something like
18 it, they might make a little powder. I mean, it comes in as
19 what, dirt? What does it come in as? It is like rock and
20 dirt?

21 MR. EVES: It is like sand.

22 MR. JAREMA: Yes. Okay. Thanks very much.

23 MR. CAMERON: Sure, you are welcome.

24 The gentleman up there in the hat.

25 MR. SILVER: Mr. Chairman, I have one question to

1 ask. Maybe someone has the answer.

2 MR. CAMERON: I am getting the signal that you are
3 going to have to come down here and speak into the
4 microphone, if you don't mind.

5 MR. SILVER: My name is Edward Silver. I am a
6 business consultant. I have one question. Maybe someone
7 has the answer.

8 Have you done drinking water tests around the
9 subject property? Does anyone have the answer to that
10 question?

11 MR. CAMERON: NRC, New Jersey?

12 MR. SILVER: I think that that is first and
13 foremost that everyone is concerned. Okay. I think that is
14 something -- do you have the answer, sir?

15 MR. VALENTI: My name is Jim Valenti. I work at
16 Shieldalloy. I am an Environmental Manager. As part of our
17 quarterly motoring, we do analysis of both chemical and
18 radiological constituents. We have analysis from a few
19 years' worth of data for both gross alpha and gross beta.
20 If the gross alpha and gross beta exceed screening levels,
21 we do isotopic analysis.

22 I heard the reference to radiological parameters
23 that have leached out of the material. We have no evidence
24 of any wealth with groundwater exceeding the drinking water
25 standards. There is reference to radium and other

1 radionuclides that are naturally occurring in the ground
2 water. We have results that are consistent with background
3 radium and background numbers in our monitoring wells.

4 MR. SILVER: I would like to know if you could
5 provide me with a copy of the recent report on that, sir?

6 MR. VALENTI: It is in with the state files. We
7 report them quarterly to the state and also to the NRC. They
8 are available to the public through the public documents.

9 MR. SILVER: Okay. I can request them. Thank you
10 very much.

11 MR. CAMERON: Would the NRC or the state folks
12 like to amplify or feel there is a need to amplify on Mr.
13 Silver's question at all?

14 MR. SILVER: One of the most important factors
15 here, I think, is a problem -- an answer to the problem
16 -- not really a problem but a situation. How many employees
17 do you employ, sir? Mr. Finn?

18 MR. FINN: In Newfield, 210, something like that.

19 MR. SILVER: 210 jobs. Okay, we talking about.
20 We are also talking about the health of the people, also the
21 welfare of the people in the neighborhood for many years.
22 It is a new day today. It is not yesterday, 30 years ago,
23 40 years ago. I am 56 years old. It is a new day.

24 I have the solutions to your problem, if I could
25 meet with you, and to the problems of the people that are

1 here tonight.

2 Thank you.

3 MR. VALENTI: Thank you very much, Mr. Silver.

4 MR. CAMERON: Yes, would you like to ask the
5 question or make the comment? Please come up to the mike.

6 MS. BILLINGS: If one of the -- if the alternative
7 is reached by the NRC that this be taken off-site, and
8 Shieldalloy claims they don't have the assets to do that,
9 can they apply to Superfund to help? Does this come under
10 Superfund or not?

11 MR. CAMERON: Let's have one of the NRC folks,
12 either Mike Weber or Bob Fonner clarify that.

13 MR. WEBER: I think it would be mistake to think
14 of the Superfund program as a big pot of money that people
15 can tap into when they choose to.

16 The first course that EPA has under the Superfund
17 law is to go through enforcement action to recover the funds
18 to be expended from the potentially responsible parties.

19 MS. BILLINGS: That would be like an attachment of
20 their assets?

21 MR. WEBER: Whatever it takes.

22 MS. BILLINGS: Well, can the NRC do that in order
23 to --

24 MR. WEBER: No, we do not have the same kind of
25 authority that the Environmental Protection Agency has.

1 MS. BILLINGS: But does the Superfund have -- say,
2 for instance, Shieldalloy goes into Chapter 7 and they move
3 out of town. They abandon the place. Like one of the
4 officials said, it is the responsibility now of the
5 taxpayer.

6 Can Newfield Borough apply to Superfund, or does
7 this come under Superfund at all? I heard that it didn't.

8 MR. FONNER: The Shieldalloy site is already
9 listed on the National Priorities List. It is Number 46 in
10 Group 1. That is about highest you can get on Superfund.
11 There are only 45 sites which are considered of a higher
12 priority, apart from certain exceptions for individual
13 states.

14 There is a nuance of bankruptcy law which you
15 should understand. I heard Mr. Finn talk about abandonment
16 of the site. I don't think the site will be abandoned
17 because under current bankruptcy law, and since the site is
18 listed on the NPL, EPA can prevent the abandonment of the
19 site.

20 My understanding from conversations with attorneys
21 involved in the bankruptcy -- not Shieldalloy's attorneys,
22 U.S. Government attorneys -- is that that remedy will be
23 pursued. But Shieldalloy will not -- Chapter 7 will not be
24 allowed to leave the site.

25 MS. BILLINGS: Well, what do they -- I mean, what

1 recourse?

2 MR. FONNER: EPA would then use whatever remedies
3 it has available under CERCLA in order to --

4 MS. BILLINGS: They can't touch their assets if
5 they have no assets if they are bankrupt.

6 MR. FONNER: They have the factory.

7 MS. BILLINGS: They what?

8 MR. FONNER: There are assets in the company that
9 are probably reachable.

10 MS. BILLINGS: Enough to move that stuff off-site
11 so that another company could move in?

12 MR. FONNER: Pardon me?

13 MS. BILLINGS: Is there enough assets that the can
14 attach to move the slag out of Newfield to another site?

15 MR. FONNER: That I can't answer. I don't know
16 what the asset picture of Shieldalloy is.

17 MS. BILLINGS: Okay. Thank you.

18 MR. CAMERON: Okay. Well, I think you have
19 cleared up a little bit about what the potential Superfund
20 remedy might be.

21 Do we have further questions or comments from the
22 audience?

23 [No response.]

24 MR. CAMERON: Okay. Well, you have been very
25 patient. I hope that the -- I know that the NRC has gotten

1 some good information. I hope that maybe this could be the
2 start of a continuing dialogue not only between the NRC and
3 the community, but perhaps between the Company and the
4 community.

5 I just would ask Mike to maybe reiterate the next
6 steps and what is going to happen and the written comment
7 deadline, and that type of thing. Mike?

8 MR. WEBER: Let me thank you again for coming out.
9 We certainly appreciate your taking your time from your own
10 busy schedules to come out and share with us your views and
11 comments tonight. Let me assure you that they will be
12 considered as we go through this first part of the scoping
13 process.

14 As you leave here tonight and as you think about
15 this over the next few weeks, if you want to send comments
16 to us, please do so by January 15th. The name and address
17 to whom you are to send that is listed in the scoping notice
18 which is available on that back table, or if you have
19 questions of the NRC, please contact Gary Comfort who is the
20 Project Manager.

21 Thank you.

22 [Whereupon, at 9:27 p.m., the scoping hearing was
23 concluded.]

24

25

REPORTER'S CERTIFICATE

**This is to certify that the attached proceedings
before the United States Nuclear Regulatory
Commission
in the matter of:**

NAME OF PROCEEDING: Scoping Meeting on Shieldalloy

DOCKET NUMBER:

PLACE OF PROCEEDING: Franklinville, NJ

were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission taken by me and thereafter reduced to typewriting by me or under the direction of the court reporting company, and that the transcript is a true and accurate record of the foregoing proceedings.



**Official Reporter
Ann Riley & Associates, Ltd.**

Background Information
on
Radioactive Material and Radiation

What is Radiation?

The term "radiation" as it relates to nuclear materials means the energy given off by radioactive material as it decays. Ionizing radiation produces charged particles, or ions, in the material it encounters. The adverse effects of ionizing radiation in plants, animals and humans are caused by these charged particles.

There are five major types of ionizing radiation:

- Alpha radiation - positively charged particles that are emitted from naturally occurring and man-made radioactive material. Uranium, thorium and radium emit alpha radiation and so they are called "alpha emitters." Most alpha particles can be stopped by a single sheet of paper or skin. Consequently, the principle hazard from alpha emitters to humans is caused when the material is ingested or inhaled. The limited penetration of the alpha particle means that the energy of the particle is deposited within the tissue (e.g., lining of the lungs) nearest the radioactive material once inhaled or ingested.
- Beta radiation - negatively or positively charged particles that are typically more penetrating but have less energy than alpha particles. Beta particles can penetrate human skin or sheets of paper, but can usually be stopped by thin layers of plastic, aluminum, or other materials. Although they can penetrate human skin, beta particles are similar to alpha particles in that the predominant hazard to humans comes from ingesting or inhaling the radioactive materials that emit beta radiation.
- Gamma radiation - similar to light waves, but containing much more energy, gamma rays are very penetrating. They can pass through the human body and common construction materials. Thick and dense layers of concrete, steel, or lead are used to stop gamma radiation from penetrating to areas where humans can be exposed. Because of their penetrating abilities, gamma emitters are frequently used in radiography which employs the gamma rays to take pictures of pipes, beams, and other structures to determine whether they have any cracks or other flaws. Gamma emitters can pose both external and internal radiation hazards to humans.
- Neutron radiation - neutrally charged particles, neutrons can also be very penetrating. Neutron radiation can be created through spontaneous decay in nuclear reactors or as a result of the interaction between alpha particles and specific materials.

$\mu\text{R/hr}$ or counts per minute (cpm). "CPM" refers to the number of ionizing particles striking the detector in a minute. A fraction of these particles are recorded by the detector as counts. The number of counts per minute can then be related to exposure rate or radiation dose for a known radioactive material with a standard set of assumptions.

Radiation dose or the measurement of the body's exposure to ionizing radiation is measured in units of rem. In the environment, doses are often measured in terms of millirem. A millirem is one one-thousandth of a rem. The dose rate is expressed in terms of dose per unit time, again usually an hour, as millirem/hr. For external radiation, exposure rates are often equated to dose rates using the conversion of $1 \mu\text{R/hr} \approx 1$ microrem/hr. Standing in an area for 1000 hours where the exposure rate is $1 \mu\text{R/hr}$ would cause an individual to receive a dose to the body of 1000 microrem or 1 millirem. Doses from internal exposure from radioactive material that has been ingested or inhaled are more difficult to determine. Computer models that account for the distribution and excretion of the radioactive material within the body are used for estimating doses and dose rates from internal radioactive contamination.

What is background radiation?

"Background radiation" is the radiation that is emitted from materials in and on the Earth and in space. Almost everything, including people, contain some radioactive material. Naturally occurring radioactive materials are found in the earth, in the materials used to build our homes, and in the food and water we consume. Even the air we breath contains some radioactive gases.

It is estimated that on average every individual in the United States receives slightly more than 300 millirem per year from exposure to background sources of radiation. The figure below illustrates the typical amounts of radiation received by people living in the U.S. As can be seen from this figure, the annual dose consists of about 30 millirem per year from cosmic radiation from space, 200 millirem per year from radon in the air we breathe in our homes, 40 millirem per year from food and drink, and 30 millirem per year from soils and building materials.

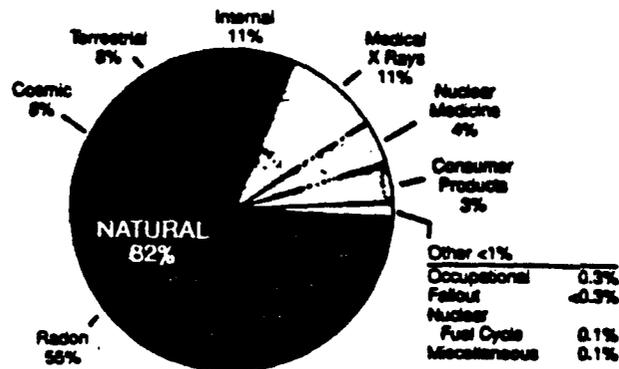


Figure 1. Average annual radiation dose in the United States (Total dose equals about 360 millirem per year)

What are the limits on Radiation Dose?

Federal and State regulatory agencies have established dose limits to protect against the harmful acute effects and to minimize the long-term risks of radiation. The basic limits are as follows:

- (1) The dose to any member of the public shall not exceed 100 mrem/yr; and
- (2) The dose to any worker shall not exceed 5 rem/yr. For workers under 18 years of age, the dose shall not exceed 0.5 rem/yr.

There are additional limits that apply to specific portions of the body (lens of the eye, skin, specific organs). In addition, because of the health effects that may be caused by exposure of a developing human fetus, a separate limit of 0.5 rem during the pregnancy has been established.

These and related limits have been established by the U.S. Nuclear Regulatory Commission, U.S. Environmental Protection Agency, U.S. Department of Energy, and various State regulatory agencies for a variety of sources of ionizing radiation. For example, the Nuclear Regulatory Commission's radiation protection limits are found in Part 20 of Title 10 of the Code of Federal Regulations. The limits are based on expert recommendations from the National Council on Radiation Protection and Measurements and the International Commission on Radiological Protection. The agencies have generally adopted the recommendations through a formal rulemaking process that included opportunities for public review and comment on the draft limits prior to finalization.

How can I protect myself from radiation?

Individuals responsible for the use and handling of radioactive materials should ensure that doses to people remain below the dose limits. In addition, as a general matter, users of radioactive materials should also maintain doses and releases of radioactive materials as low as is reasonably achievable (ALARA).

Beyond the limits and measures to keep doses ALARA, there are three important factors to keep in mind to protect yourself from sources of ionizing radiation. These factors are:

- Time - The longer an individual is near a source of radiation, the greater the potential dose will be. Decreasing the amount of time spent near a source of radiation can significantly reduce the potential dose.
- Distance - Radiation exposure rates generally decrease proportionally with the distance from the source of the radiation. For example, if you move twice as far away from a small source of radiation, your exposure will be one quarter of the dose received at the original distance. Increasing the distance from a source of radiation can significantly decrease the potential dose.
- Shielding - Any material placed between you and a source of radiation will reduce the exposure you will receive under most situations. Different

States also have the responsibility to regulate naturally occurring radioactive material (such as radium), other radioactive materials that are generated in machines called accelerators, and X-rays as used by doctors, dentists, and other individuals. NRC does not regulate these materials because Congress did not provide the agency with the authority over naturally occurring and accelerator produced radioactive materials (NARM), with limited exceptions.

Various other Federal agencies, such as the Departments of Transportation, Health and Human Services and Energy, as well as the Environmental Protection Agency, also have a role in the regulation of radioactive material.

Want More Information?

If you would like more information about NRC, the facilities it regulates, or radiation protection, please call NRC's Office of Public Affairs at (301) 504-2240, or write to:

Office of Public Affairs
U.S. Nuclear Regulatory Commission
Washington, DC 20555

elimination of the following issues from the scope of this EIS because they have been previously analyzed in a previous Generic Environmental Impact Statement (GEIS) (NUREG-0586) and included in an earlier rulemaking (53 FR 24018, June 25, 1988): (i) Planning necessary to conduct decommissioning operations in a safe manner; (ii) assurance that sufficient funds are available to pay for decommissioning; (iii) the time period in which decommissioning should be completed; and (iv) whether facilities should not be left abandoned, but instead remediated to appropriate levels. In addition, requirements were recently proposed in a separate rulemaking regarding timeliness of decommissioning for 10 CFR Parts 40, 40, and 70 licensees (58 FR 4099, January 13, 1993).

(d) *Identify environmental Assessments or EISs which are being or will be prepared that are related but are not part of the scope of this EIS.* A draft Environmental Assessment on the timeliness of decommissioning has been prepared as part of a separate rulemaking on decommissioning timeliness (58 FR 4099; January 13, 1993) and will be finalized. NRC is presently developing a Generic EIS to support a rulemaking to establish generic radiological criteria for decommissioning. In addition, NRC is presently developing an EIS for decommissioning the waste piles at Shieldalloy's facility in Newfield, New Jersey.

(e) *Identify other environmental review or consultation requirements related to the proposed action.* NRC will consult with other Federal, State, and local agencies that have jurisdiction over the Cambridge site decommissioning. For example, NRC has already been coordinating its reviews of decommissioning actions at the Cambridge site with the USEPA, OEPA, and the Ohio Department of Health. NRC anticipates continued consultation with these and other agencies, as appropriate, during the development of the EIS.

(f) *Indicate the relationship between the timing of the preparation of environmental analysis and the Commission's tentative planning and decision making schedule.* NRC intends to prepare and issue for public comment a draft EIS in October 1994. The comment period would be for 90 days. The final EIS is scheduled for publication in June 1995. Subsequent to completion of the final EIS, the NRC would review and act on a license amendment from the licensee requesting authorization for decommissioning the site, including the decommissioning

plan as required in 10 CFR 40.42(c)(2). Depending on the resolution of the licensee's financial restructuring under Chapter 11 of the bankruptcy code, the NRC may terminate or postpone development of the EIS.

(g) *Describe the means by which the EIS will be prepared.* NRC will prepare the draft EIS according to the requirements in 10 CFR part 51. Specifically, in accordance with 10 CFR 51.71, the draft EIS will consider comments submitted to NRC as part of the scoping process and will include a preliminary analysis which considers and balances the environmental and other effects of the proposed action and the alternatives available for reducing or avoiding adverse environmental and other effects, as well as the environmental, economic, technical, and other benefits of the proposed action.

The EIS will be prepared by the NRC staff and an NRC contractor. NRC is arranging a project with Oak Ridge National Laboratory to provide technical assistance in the preparation of the EIS. In addition, NRC anticipates requesting specific information from the licensee to support preparation of the EIS. Any information received from the licensee related to the EIS will be available for public review, unless the information is protected from public disclosure in accordance with NRC requirements in 10 CFR 2.790.

In the scoping process, participants are invited to speak or submit written comments, as noted above, on any or all of the areas described above. In accordance with 10 CFR 51.29, at the conclusion of the scoping process, NRC will prepare a concise summary of the determinations and conclusions reached, including the significant issues identified, and will send a copy to each participant in the scoping process.

Dated at Rockville, Maryland, this 19th day of November 1993.

For the U.S. Nuclear Regulatory Commission.

John H. Austin,

Chief, Decommissioning and Regulatory Issues Branch, Division of Low-Level Waste Management and Decommissioning, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 93-29013 Filed 11-24-93; 8:45 am]

BILLING CODE 7590-01-P

Decommissioning of Shieldalloy Metallurgical Corporation's Facility in Newfield, NJ; Notice of Intent To Prepare an Environmental Impact Statement and To Conduct a Scoping Process

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of intent to prepare an Environmental Impact Statement (EIS), to conduct a scoping process for the EIS, and to conduct a scoping meeting.

SUMMARY: The NRC intends to prepare an EIS for decommissioning Shieldalloy Metallurgical Corporation's (Shieldalloy) facility located in Newfield, New Jersey. Shieldalloy and predecessor companies at the Newfield location have been licensed by the NRC to process ores and mineral concentrates containing the radioactive materials uranium, thorium, and their associated decay products (i.e., collectively considered source material). As a result of processing the ores to produce metal alloys, Shieldalloy concentrated the radioactive materials in high temperature slag and in baghouse dust. Shieldalloy continues to process the source material. Although Shieldalloy has no intent to close down the Newfield facility in the foreseeable future, plans for stabilizing or disposing of the slag and dust need to be established as part of a process for renewing the NRC license at the site. This notice indicates the NRC's intent to prepare an EIS in conjunction with this proposed action and to conduct a scoping process that will include a public scoping meeting.

DATES: Written comments on matters covered by this notice received by January 15, 1994, will be considered in developing the scope of the EIS. Comments received after this date will be considered if it is practical to do so, but the NRC is able to assure consideration only for comments received on or before this date.

A public scoping meeting will be held at Delsea Regional High School in Franklinville, New Jersey, on December 16, 1993, from 7-10 p.m.

ADDRESSES: Written comments on the matters covered by this notice and/or the scoping meeting should be sent to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555. **ATTN:** Docketing and Services Branch. Hand deliver comments to 11555 Rockville Pike, Rockville, Maryland 20852, between 7:45 a.m. and 4:15 p.m., on Federal workdays.

The scoping meeting will be held at Delsea Regional High School, Blackwoodtown Road (County Highway

Sites (57 FR 13389; April 16, 1992). As described in the Action Plan, the criteria are applied on a site-specific basis with emphasis on residual contamination levels that are as low as is reasonably achievable (ALARA).

Consequently, if NRC approved on-site stabilization of the radioactive material, land use restrictions or other institutional controls may be necessary to ensure long-term protection of the public and the environment. NRC expects that Shieldalloy would have to apply for and obtain an exemption from NRC's present requirements because NRC's current requirements for decommissioning do not allow for land use restrictions.

In addition to the issues discussed above that fall under NRC's jurisdiction, there are other environmental issues associated with decommissioning the Newfield site that are regulated by other State and Federal agencies, including the U.S. Environmental Protection Agency (EPA) and the New Jersey Department of Environmental Protection and Energy (NJDEPE). For example, the Newfield site is listed on the National Priorities List and is being remediated under the Comprehensive Environmental Response Compensation and Liability Act to mitigate groundwater contamination caused by non-licensed activities at the site. These activities are administered by EPA and NJDEPE. The scoping process and EIS will not only aid NRC in reaching decisions about the decommissioning of the Newfield site, but should also be useful to these other agencies in discharging their respective duties.

Description of Proposed Action

The proposed action is onsite stabilization and disposal of radioactive waste containing elevated concentrations of thorium and uranium and their decay products at the Shieldalloy facility in Newfield, New Jersey. Because most of the radioactive contamination at the site exists in three waste piles, the proposed action principally focuses on the disposal of the radioactive materials within those waste piles.

Preparation of an Environmental Impact Statement

Under the National Environmental Policy Act (NEPA), all Federal agencies must consider the effect of their actions on the environment. Section 102(1) of NEPA requires that the policies, regulations, and public laws of the United States be interpreted and administered in accordance with the policies set forth in NEPA. It is the intent of NEPA to have Federal agencies incorporate consideration of

environmental issues into their decision-making processes. NRC regulations implementing NEPA are contained in 10 CFR part 51. To fulfill NRC's responsibilities under NEPA, the NRC intends to prepare an EIS that will analyze the environmental impacts of the proposed action, as well as environmental impacts of alternatives to the proposed action and costs associated with both the proposed action and the alternatives. All reasonable alternatives to the proposed action, including the "no action" alternative, will be analyzed. The scope of the EIS will include both radiological and non-radiological impacts associated with the alternative actions.

This notice announces the NRC's intent to prepare an EIS. The principal intent of the EIS is to provide a document describing environmental consequences that will be available to the Agency's decision makers in reviewing the licensee's decommissioning plan for the Newfield site.

The Scoping Process

The Commission's regulations in 10 CFR part 51 contain requirements for conducting a scoping process prior to preparation of an EIS. In accordance with 10 CFR 51.26, whenever the NRC determines that an EIS will be prepared by NRC in connection with a proposed action, NRC will publish a notice of intent in the Federal Register stating that an EIS will be prepared and conduct an appropriate scoping process. In addition, this scoping process may include the holding of a public scoping meeting.

NRC also describes, in 10 CFR 51.27, the content of the notice of intent and requires that the notice include the proposed action and, to the extent that sufficient information is available, also describe possible alternatives. In addition, the notice of intent is to describe the proposed scoping process, including the role of participants, whether written comments will be accepted, and whether a public scoping meeting will be held.

In accordance with §§ 51.26 and 51.27, the proposed action and possible alternative approaches are discussed below. The role of participants in the scoping process for this EIS includes the following:

(1) Participants may attend and provide oral discussion on the proposed action and possible alternatives at the public scoping meeting at Delssa Regional High School in Franklinville, New Jersey, on December 16, 1993, from 7 to 10 p.m.

(2) The Commission will also accept written comments on the proposed action and alternatives from the public. Written comments should be submitted by January 15, 1994, and should be sent to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555. ATTN: Docketing and Services Branch. Hand deliver comments to 11555 Rockville Pike, Rockville, Maryland 20852, between 7:45 a.m. and 4:15 p.m., on Federal workdays.

According to 10 CFR 51.29, the scoping process is to be used to address the topics which follow. Participants may make written comments, or verbal comments at the scoping meeting, on the following (current preliminary NRC staff approaches with regard to each topic are included for information):

(a) Define the proposed action to be the subject of the EIS. The proposed action is consideration of onsite stabilization and disposal of radioactive waste at the Shieldalloy facility in Newfield, New Jersey.

(b) Determine the scope of the EIS and the significant issues to be analyzed in depth. The NRC is proposing to analyze the costs and impacts associated with the proposed action and alternative decommissioning approaches. The following proposed outline for the EIS reflects the current NRC staff view on the scope and major topics to be dealt with in the EIS:

Proposed Outline: Environmental Impact Statement.

Abstract.

Executive Summary.

Table of Contents

1. Introduction
 - 1.1 Background
 - 1.2 Purpose and Need for Proposed Action
 - 1.3 Description of Proposed Action
 - 1.4 Approach in Preparation of the Draft EIS
 - 1.5 Structure of the Draft EIS
2. Alternatives including the Proposed Action
 - 2.1 Factors Considered in Evaluating Alternatives
 - 2.2 Alternatives
 - 2.3 Regulatory Compliance
3. Affected Environment
 - 3.1 Introduction
 - 3.2 Description of the Newfield facility
 - 3.3 Land Use
 - 3.4 Geology/Seismicity
 - 3.5 Meteorology and Hydrology
 - 3.6 Ecology
 - 3.7 Socioeconomic Characteristics
 - 3.8 Radiation
 - 3.9 Cultural Resources
 - 3.10 Other Environmental Features

related to the proposed action. NRC will consult with other Federal, State, and local agencies that have jurisdiction over the Newfield site. For example, NRC has already been coordinating its reviews of decommissioning actions at the Newfield site with the USEPA and the NJDEPE. NRC anticipates continued consultation with these and other agencies, as appropriate, during the development of the EIS.

(f) *Indicate the relationship between the timing of the preparation of environmental analysis and the Commission's tentative planning and decision making schedule.* NRC intends to prepare and issue for public comment a draft EIS in October 1994. The comment period would be for 90 days. The final EIS is scheduled for publication in June 1995. Subsequent to completion of the final EIS, the NRC would review and act on a supplemented license renewal request from the licensee requesting continued authorization for possession and storage of source material at the site, including the decommissioning funding plan as required in 10 CFR 40.36(c)(2). Depending on the resolution of the licensee's financial restructuring under Chapter 11 of the bankruptcy code, the NRC may terminate or postpone development of the EIS.

(g) *Describe the means by which the EIS will be prepared.* NRC will prepare the draft EIS according to the requirements in 10 CFR part 51. Specifically, in accordance with 10 CFR 51.71, the draft EIS will consider comments submitted to NRC as part of the scoping process and will include a preliminary analysis which considers and balances the environmental and other effects of the proposed action and the alternatives available for reducing or avoiding adverse environmental and other effects, as well as the environmental, economic, technical, and other benefits of the proposed action.

The EIS will be prepared by the NRC staff and an NRC contractor. NRC is arranging a project with Oak Ridge National Laboratory to provide technical assistance in the preparation of the EIS. In addition, NRC anticipates requesting specific information from the licensee to support preparation of the EIS. Any information received from the licensee related to the EIS will be available for public review, unless the information is protected from public disclosure in accordance with NRC requirements in 10 CFR 2.790.

In the scoping process, participants are invited to speak or submit written comments, as noted above, on any or all of the areas described above. In

accordance with 10 CFR 51.29, at the conclusion of the scoping process, NRC will prepare a concise summary of the determinations and conclusions reached, including the significant issues identified, and will send a copy to each participant in the scoping process.

Dated at Rockville, Maryland, this 18th day of November 1993.

For the U.S. Nuclear Regulatory Commission.

John H. Austin,

Chief, Decommissioning and Regulatory Issues Branch, Division of Low-Level Waste Management and Decommissioning, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 93-29014 Filed 11-24-93; 8:45 am]

BILLING CODE 7880-01-9

Advisory Committee on Reactor Safeguards Subcommittee on Planning and Procedures; Meeting

The ACRS Subcommittee on Planning and Procedures will hold a meeting on December 8, 1993, room P-422, 7920 Norfolk Avenue, Bethesda, MD.

The entire meeting will be open to public attendance, with the exception of a portion that may be closed pursuant to 5 U.S.C. 552b(c)(2) and (6) to discuss organizational and personnel matters that relate solely to internal personnel rules and practices of ACRS and matters the release of which would represent a clearly unwarranted invasion of personal privacy.

The agenda for the subject meeting shall be as follows:

Wednesday, December 8, 1993—4 p.m. Until 6 p.m.

The Subcommittee will discuss proposed ACRS activities, practices and procedures for conducting Committee business, and organizational and personnel matters relating to ACRS and its staff. The purpose of this meeting is to gather information, analyze relevant issues and facts, and to formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be accepted and made available to the Committee. Electronic recordings will be permitted only during those portions of the meeting that are open to the public, and questions may be asked only by members of the Subcommittee, its consultants, and staff. Persons desiring to make oral statements should notify the ACRS staff member named below as far in advance as is practicable so that appropriate arrangements can be made.

Further information regarding topics to be discussed, the scheduling of sessions open to the public, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted therefor can be obtained by contacting the cognizant ACRS staff person, Dr. John T. Larkins (telephone 301/492-4516) between 7:30 a.m. and 4:15 p.m., EST. Persons planning to attend this meeting are urged to contact the above named individual five days before the scheduled meeting to be advised of any changes in schedule, etc., that may have occurred.

Dated: November 18, 1993.

Sam Duraiswamy,

Chief, Nuclear Reactors Branch.

[FR Doc. 93-28998 Filed 11-24-93; 8:45 am]

BILLING CODE 7880-01-M

[Docket No. 80-312]

Sacramento Municipal Utility District (Rancho Seco Nuclear Generating Station); Exemption

I

The Sacramento Municipal Utility District (SMUD or the licensee) is the holder of Facility Operating License No. DPR-54. The license provides, among other things, that it is subject to all rules, regulations, and orders of the Nuclear Regulatory Commission (the Commission or NRC) now or hereafter in effect. The facility consists of a pressurized water reactor located at the licensee site in Sacramento County, California, and is currently defueled with fuel stored in the spent fuel pool. Additionally, a confirmatory order prevents the movement of the fuel into the reactor building without NRC approval.

II

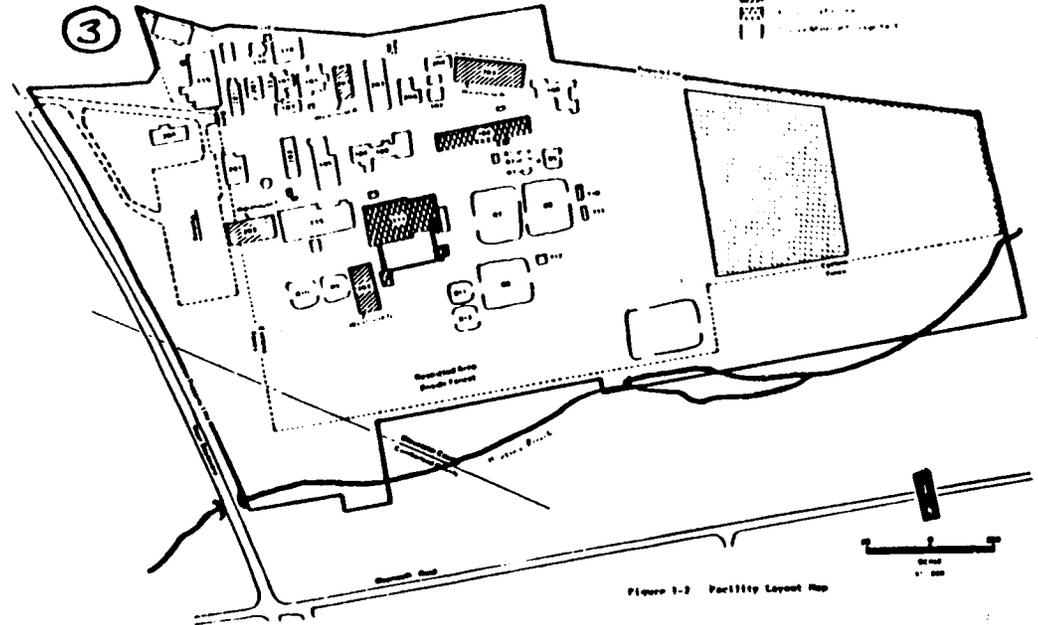
The Rancho Seco Nuclear Generating Station (Rancho Seco) was permanently shut down on June 7, 1989, and completely defueled on December 8, 1989. The NRC in Amendment No. 117, dated March 17, 1992, modified Facility Operating License No. DPR-54 to a Possession Only License (POL). The license is conditioned so that SMUD is not authorized to operate or place fuel in the reactor vessel, thus formalizing the licensee's commitment to permanently cease power operations.

By letter dated November 14, 1990, and supplemented by letter dated October 15, 1992, the licensee requested a reduction in primary financial coverage and an exemption from participation in the industry



① **Public Meeting on the Scope
of the Environmental Impact Statement
for Shieldalloy Metallurgical Corporation's
Facility in Newfield, NJ**

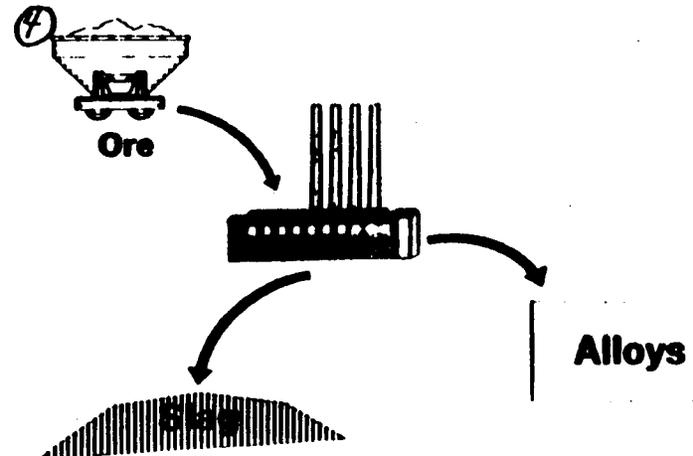
*December 17, 1993
Franklinville, NJ*



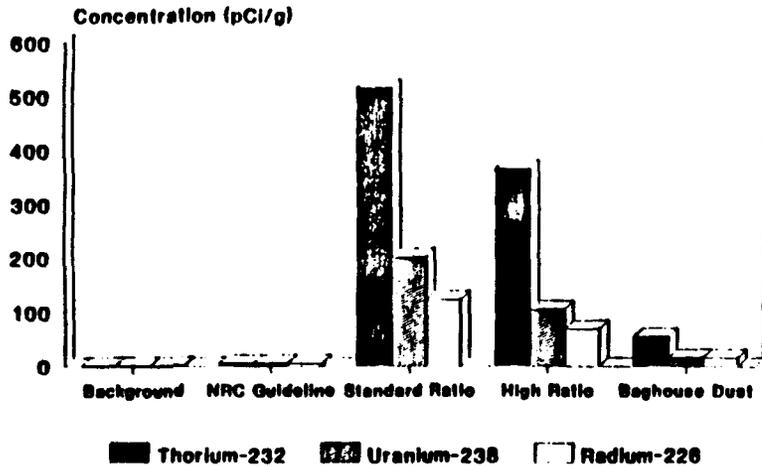
② **NRC Involvement**

- Active NRC license authorizes possession of Uranium and Thorium (Source Material; SMB-743)
- Facility imported and processed niobium ore to produce ferro-columbium alloy since 1950s
- Radioactive materials concentrated in high-temperature slag; slag stored on site
- Facility continuing licensed slag production; no plans to begin decommissioning until operations complete

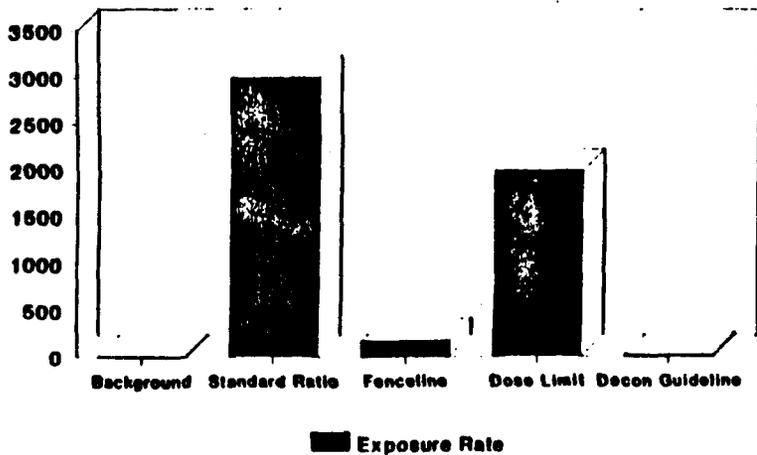
Shieldalloy Process



⑨ Concentrations of Radioactive Material in Shieldalloy Waste



⑩ Exposure Rates at Shieldalloy Site (in microRoentgen/hr)



United States Nuclear Regulatory Commission

⑪

Overview

- What is an Environmental Impact Statement (EIS)?
- What Alternatives will be Considered by NRC?
 - ✓ Proposed Action - Onsite Disposal
 - ✓ Alternatives to Proposed Action
- What Impacts will NRC Evaluate?
- When will the EIS be available?
- Will there be Future Opportunities for Public Comment?



United States Nuclear Regulatory Commission

⑫

Environmental Impact Statement

An Environmental Impact Statement (EIS)...

- Evaluates environmental effects from proposed NRC action
- Identifies alternative actions and estimates potential effects
- Assists NRC in reaching a decision on a proposal from Shieldalloy Metallurgical Corporation
- Is required by the National Environmental Policy Act of 1969 and NRC requirements in 10 CFR Part 51

SHIELDALLOY'S NEWFIELD, NEW JERSEY, PLANT

FACT SHEET

- Shieldalloy employs 228 people at the plant.
- The plant is a high-tech metallurgical facility producing ferroalloys and aluminum alloys, - specialty alloys for technical and defense applications.
- One of those alloys is ferrocolumbium, an important addition to high-grade steels. Although ferrocolumbium is non-radioactive, one of the raw materials used to produce it, columbium ore, is slightly radioactive. The ferrocolumbium product process generates slightly radioactive slag and baghouse dust which are stored on site in a controlled area known as the storage yard.
- The slag is in the form of a glass-like rock. The baghouse dust, while originally in a loose form, sets up like cement when it becomes damp.
- Although only slightly radioactive, and in no way a threat to nearby residents, the materials are regulated by the Nuclear Regulatory Commission ("NRC").
- The NRC, in its 1993 Updated Report on Site Decommissioning Management Plan, says that "the site poses no immediate threat to public health and safety" (Page A-202).
- Shieldalloy has a license from the NRC to process the columbium ore and to possess the mildly radioactive material in the slag and baghouse dust. If ever ferrocolumbium production ceases the NRC will require Shieldalloy to *decommission* the site. To achieve that goal Shieldalloy plans to stabilize the material in the storage yard with the NRC's approval, to cover it with a multi-media cover, revegetate the site, institute long-term surveillance, and to arrange for some permanent restrictions on future use of the site.
- Once the site is decommissioned in that fashion the maximum exposure a member of the general public could receive from it is calculated to be less than one millirem per year above background, using very conservative assumptions. By way of comparison, every person in the United States receives, on average, a radiation level of 360 millirem every year from normal background radiation. The average background level in Denver, Colorado is 410 millirem per year due primarily to that city's greater altitude. One would receive a fifty times greater excess radiation level by moving to Denver, Colorado than by moving directly on top of the capped storage yard.
- As a result of downward price pressures in its primary metals markets, and for other financial reasons, Shieldalloy filed for protection from its creditors under Chapter 11 of the Bankruptcy Code on September 2, 1993. Shieldalloy must present a viable Business Plan in order to restructure its finances and emerge from Chapter 11. However, Shieldalloy must be able to estimate the cost of decommissioning the site in order to determine if reorganization is feasible, a fact that Shieldalloy has communicated to the NRC and the NRC has acknowledged.

authority of the Commission in the State under chapters 6, 7, and 8, and section 161 of the Act with respect to the following materials:

- A. Byproduct materials as defined in section 11e.(1) of the Act;
- B. Source materials; and
- C. Special nuclear materials in quantities not sufficient to form a critical mass.

Article II

This Agreement does not provide for discontinuance of any authority and the Commission shall retain authority and responsibility with respect to regulation of:

- A. The construction and operation of any production or utilization facility;
- B. The export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility;
- C. The disposal into the ocean or sea of byproduct, source, or special nuclear waste materials as defined in regulations or orders of the Commission;
- D. The disposal of such other byproduct, source, or special nuclear material as the Commission from time to time determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission;
- E. The land disposal of source, byproduct and special nuclear material received from other persons; and
- F. The extraction or concentration of source material from source material ore and the management and disposal of the resulting byproduct material.

Article III

This Agreement may be amended, upon application by the State and approval by the Commission, to include the additional areas specified in article II, paragraph E or F, whereby the State can exert regulatory control over the materials stated herein.

Article IV

Notwithstanding this Agreement, the Commission may from time to time by rule, regulation, or order, require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license or an exemption from licensing issued by the Commission.

Article V

This Agreement shall not affect the authority of the Commission under subsection 161 b. or 1 of the Act to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data, or to guard against the loss or diversion of special nuclear material.

Article VI

The Commission will use its best efforts to cooperate with the State and other Agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible. The State will use its best efforts to cooperate with the Commission and other Agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that the State's program will continue to be compatible with the program of the Commission for the regulation of like materials. The State and the Commission will use their best efforts to keep each other informed of proposed changes in their respective rules and regulation and licensing, inspection and enforcement policies and criteria, and to obtain the comments and assistance of the other party thereon.

Article VII

The Commission and the State agree that it is desirable to provide reciprocal recognition of licenses for the materials listed in article I licensed by the other party or by any Agreement State. Accordingly, the Commission and the State agree to use their best efforts to develop appropriate rules, regulations, and procedures by which such reciprocity will be accorded.

Article VIII

The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend all or part of this Agreement and reassert the licensing and regulatory authority vested in it under the Act if the Commission finds that (1) such termination or suspension is required to protect the public health and safety, or (2) the State has not complied with one or more of the requirements of section 274 of the Act. The Commission may also, pursuant to section 274 of the Act, temporarily suspend all or part of this Agreement if, in the judgment of the

Commission, an emergency situation exists requiring immediate action to protect public health and safety and the State has failed to take necessary steps. The Commission shall periodically review this Agreement and actions taken by the State under this Agreement to ensure compliance with section 274 of the Act.

Article IX

This Agreement shall become effective on April 1, 1992, and shall remain in effect unless and until such time as it is terminated pursuant to article VIII.

Done at Rockville, Maryland in triplicate, this 16th day of March, 1992.

For the United States Nuclear Regulatory Commission, Ivan Selin, Chairman.

Done at Augusta, Maine, in triplicate, this 25th day of March, 1992.

For the State of Maine, John R. McKernan, Jr., Governor.

Dated at Rockville, this 9th day of April, 1992.

For the United States Nuclear Regulatory Commission,

Sheldon A. Schwartz,

Deputy Director, Office of State Programs.

[FR Doc. 92-8639 Filed 4-15-92; 8:45 am]

BILLING CODE 7550-01-01

Action Plan to Ensure Timely Cleanup of Site Decommissioning Management Plan Sites

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of availability of NRC action plan.

SUMMARY: The NRC has developed an Action Plan to describe the approach the agency will use to accelerate the cleanup of radiologically contaminated sites listed in NRC's Site Decommissioning Management Plan (SDMP). The objective of this plan is to communicate the Commission's general expectation that sites listed in the SDMP be cleaned up in a timely and effective manner. This plan (1) identifies existing criteria to guide cleanup of contaminated soils, structures, and equipment and emphasizes site-specific application of the As Low As Reasonably Achievable (ALARA) principle; (2) states the NRC's position on the finality of decommissioning decisions; (3) describes the NRC's general expectation that SDMP site cleanup will be completed within a 4-year timeframe after operations cease or 3 years after the issuance of an initial cleanup order; (4) identifies currently available guidance on site

noncompliance with the plan, is found indicating a significant threat to public health and safety. Noncompliance would occur with a licensee or responsible party does not comply with an approved decommissioning plan, or provides false information.

The NRC will inform EPA about specific decommissioning actions at sites. NRC will also inform State and local agencies that have jurisdiction over aspects concerning decommissioning actions.

C. Timing

The NRC staff will address the timing of SDMP site cleanups on a case-by-case basis, with the expectation that cleanup generally be completed within about 4 years after operations that caused the contamination cease or 3 years after issuance of an initial cleanup order. To achieve this objective, major decommissioning milestones should be established within the following timeframes:

1. As soon as practical, but generally not later than 12 months after notification by the NRC that decommissioning is expected to commence, the licensee or responsible party identified by the NRC should submit to the NRC an adequate site characterization report, if that has not yet been completed. The NRC encourages early and substantive coordination and communication between the licensee or responsible party in planning for site characterization, including NRC review of site characterization plans.

2. As soon as practical, but generally not later than 6 months after NRC approval of the site characterization report, the licensee or responsible party should submit to the NRC a site decommissioning plan for approval based on the site characterization results. The decommissioning plan should include schedules for completing site decommissioning work in a timely and effective manner, including plans to dispose of contaminated materials either onsite pursuant to 10 CFR 20.302 (or 10 CFR 20.2002 of the revised 10 CFR part 20), or at a licensed disposal facility offsite.

3. As soon as practical, but generally not later than 18 months after NRC approval of the site decommissioning plan, the licensee or responsible party should complete all decommissioning work and termination surveys, so that sites or facilities can be released for unrestricted use after termination of the license, as appropriate.

In implementing this approach, the NRC will establish specific and enforceable milestones for each phase

of decommissioning through license amendments or orders. These schedules will provide flexibility to allow a licensee or responsible party to demonstrate good cause for delaying cleanup based on technical and risk reduction considerations, or for reasons beyond their control. NRC recognizes that at sites containing hazardous chemical wastes, schedules will depend, at least in part, on the necessary reviews and approvals by other responsible agencies (e.g., EPA or State agencies).

D. Site Characterization

Inadequate site characterization has been one of the technical issues that has delayed timely approval and implementation of site-specific decommissioning actions. Therefore, the NRC is developing new guidance on the content of acceptable site characterization programs conducted in support of decommissioning actions. The NRC has developed a draft "Guidance Manual for Conducting Radiological Surveys in Support of License Termination" (NUREG/CR-5849)¹ through Oak Ridge Associated Universities. This draft manual, which will be published for interim use and evaluation in April 1992, should be consulted regarding general aspects of site characterization activities. In addition, this draft manual should be used by licensees when conducting radiological surveys in support of license terminations in the interim until the manual is finalized. NRC is developing additional guidance on specific aspects of site characterization, such as hydrogeologic assessment of contaminated sites.

Until specific NRC guidance on site characterization is developed, licensees should continue to review relevant information from existing documents on site characterization such as those identified below. Although NRC recognizes that these documents do not completely address site characterization needs for decommissioning, use of these references, in addition to site-specific consultation with the NRC staff, will help ensure that site characterization is appropriately planned and conducted so that final site characterization reports are submitted with minimal deficiencies and in a timely manner. The following documents, available from the NRC Public Document Room, should be

¹ A free single copy of draft NUREG/CR-5849 may be requested by writing to the U.S. Nuclear Regulatory Commission, Attn: Distribution and Mail Services Section, room F-130A, Washington, DC 20555. A copy is also available for inspection and/or copying in the NRC Public Document Room, 2120 L Street, NW, (Lower Level), Washington, DC.

reviewed regarding general aspects of site characterization activities:

1. "Survey Procedures Manual for the ORAU Environmental Survey and Site Assessment Program," Oak Ridge Associated Universities, March 1990.

2. "Laboratory Procedures Manual for the Environmental Survey and Site Assessment Program," Revision 5, Oak Ridge Associated Universities, February 1990.

3. "Quality Assurance Manual for the Oak Ridge Associated Universities' Environmental Survey and Site Assessment Program," Revision 3, Oak Ridge Associated Universities, February 1990.

4. "Monitoring for Compliance With Decommissioning Termination Survey Criteria," NUREG/CR-2082, June 1981.

5. "Guidance on the Application of Quality Assurance for Characterizing a Low-Level Radioactive Waste Disposal Site," NUREG-1383, October 1990.

E. Procedures to Compel Timely Cleanup

The NRC staff will seek voluntary cooperation by licensees or other responsible parties in establishing and implementing decommissioning plans in accordance with the objectives of this Action Plan. For sites with active NRC licenses, an approved decommissioning plan that includes appropriate schedules and cleanup levels will be incorporated into the license by amendment through normal licensing procedures. For sites with joint licenses (i.e., facilities that possess both a materials and a non-power reactor license), a coordinated approach under both licenses will be taken in establishing appropriate schedules and plans for decommissioning. If a site is not under an active license, the NRC may impose a decommissioning plan by order.

In cases where voluntary cooperation is ineffective in establishing acceptable schedules for completing decommissioning actions, the NRC will establish legally binding requirements and take enforcement action, as necessary, to compel timely and effective cleanup of SDMP sites. Demands for Information may be used to establish licensee commitments to perform major decommissioning activities. Enforcement actions may

² Copies of NUREGS may be purchased from the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 37082, Washington, DC 20013-7082. Copies are also available from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161. A copy is also available for inspection and/or copying at the NRC Public Document Room, 2120 L Street, NW, (Lower Level), Washington, DC.

SHIELDALLOY METALLURGICAL CORPORATION, NEWFIELD, NJ

1. Site Identification

Shieldalloy Metallurgical Corporation
Newfield, NJ

License No.: SMB-~~1007~~ 743
Docket No.: 040-07102
License Status: Active—timely renewal
Project Manager: Gary Comfort, FCSS
LLWM Monitor: C. Glenn

2. Site and Operations

Specialty ferro alloys are manufactured at this facility. The site covers 27 hectares (67 acres) in Newfield, New Jersey. Operations began in 1955 and are on-going. There are multiple buildings on the property; however, all smelting operations involving source material are conducted in a foundry near the west central portion of the site. Licensed ores are stored in a warehouse near the foundry. Licensed slag containing thorium and uranium is located in two piles (standard ratio and high ratio) in a controlled area. Exhaust air from processing activities passes through baghouse dust collectors. Dust collected in the baghouses is considered as licensed material and is accumulated in a pile located within the confines of the controlled area. These piles are described below.

Standard Ratio Pile -- this pile consists of 42,000 metric tons (46,100 tons) of slag in a volume of 16,800 m³ (595,000 ft³). The slag contains concentrations of Th-232 averaging 19.1 Bq (516 pCi)/g, Ra-226 averaging 4.55 Bq (123 pCi)/g, and U-238 averaging 7.47 Bq (202 pCi)/g.

High Ratio Pile -- this pile consists of 3200 metric tons of slag in a volume of 1000 m³ (35,000 ft³). The slag contains concentrations of Th-232 averaging 13.5 Bq (366 pCi)/g, Ra-226 averaging 2.6 Bq (69 pCi)/g, and U-238 averaging 3.9 Bq (105 pCi)/g.

Baghouse Dust Pile -- this pile consists of 12,000 metric tons (13,400 tons) of lime dust in a volume of 15,000 m³ (530,000 ft³) with concentrations of Th-232 averaging 2.0 Bq (55 pCi)/g and Ra-226 and U-238 each averaging 0.59 Bq (16 pCi)/g.

Processing of non-radioactive materials in other (i.e., non-licensed) facilities on the site has resulted in a plume of chemical (non-radioactive) contamination in the ground water (primarily chromium). This has caused the site to be a high-priority listing on the Superfund National Priorities List (NPL). Ground water remediation is ongoing.

3. Radioactive Wastes

Soils around the piles, and at numerous locations around the main yard of the site and foundry building, are contaminated. Average soil concentrations of Th-232, Ra-226, and U-238 are 1.06 Bq (28.6 pCi)/g, 0.31 Bq (8.4 pCi)/g, and 0.39 Bq (10.5 pCi)/g, respectively.

Some offsite contamination has occurred. Levels of radionuclides in some soil samples outside the perimeter fence exceed 0.37 Bq (10 pCi)/g above background for thorium and radium and 1.3 Bq (35 pCi)/g for uranium. Certain offsite locations on Haul Road, which leads from the southern perimeter of the site to Weymouth Road, have elevated levels of direct gamma radiation (greater than 0.00258 $\mu\text{C}/\text{kg}$ [10 μR]/hr above background). Haul Road and its immediate vicinity have not been adequately characterized.

Since December 1989 Shieldalloy has been performing quarterly gross alpha and gross beta analyses on grab samples obtained from 5 wells located on-site and down-gradient, and 1 well located on-site and up-gradient from the Source Material Storage Yard (SMSY). These samples have occasionally indicated elevated concentrations, the highest being 2.5 Bq (67 pCi)/l gross alpha and 20 Bq (530 pCi)/l gross beta. Sediments from area drainage pathways leading from the site indicate some locations of contamination at and just beyond the plant perimeter but there is no accumulation of radioactivity in area surface water.