



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

April 5, 2007

DOCKETED
USNRC

April 5, 2007 (2:10pm)

SECRETARY

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

The Honorable Robert E. Andrews
Member, United States House of
Representatives
63 North Broad Street
Woodbury, NJ 08096

SERVED April 10, 2007

Dear Congressman Andrews:

This is to acknowledge receipt of your letter dated February 23, 2007, addressed to Chairman Dale E. Klein expressing concern over the proposed decommissioning plan submitted by Shieldalloy Metallurgical Corporation. The plan is currently being reviewed by the NRC staff.

Several hearing requests were filed before the NRC Atomic Safety and Licensing Board. Under Nuclear Regulatory Commission procedural rules for adjudications, the Commission has an appellate role in proceedings commenced before its Atomic Safety and Licensing Boards. Because of that role, I trust that you will understand that it would be inappropriate for the Commission to discuss or comment on issues involved in the adjudication.

A copy of your letter and this response will be placed on the Shieldalloy hearing docket and served on the parties to the proceeding.

Sincerely,

A handwritten signature in cursive script that reads "Andrew L. Bates".

Andrew L. Bates
Acting Secretary of the Commission

cc: Shieldalloy Service List

ROBERT E. ANDREWS

FIRST DISTRICT, NEW JERSEY

COMMITTEES:

EDUCATION AND THE WORKFORCESENIOR RANKING DEMOCRAT, SUBCOMMITTEE ON
EMPLOYER-EMPLOYEE RELATIONSMEMBER, SUBCOMMITTEE ON 21ST CENTURY
COMPETITIVENESS**ARMED SERVICES**MEMBER, SUBCOMMITTEE ON MILITARY RESEARCH
AND DEVELOPMENTMEMBER, SPECIAL OVERSIGHT PANEL ON
MORALE, WELFARE AND RECREATION

MEMBER, SUBCOMMITTEE ON MILITARY PERSONNEL

Congress of the United States
House of Representatives
 Washington, DC 20515-3001

February 23, 2007

PLEASE REPLY TO:

- 2439 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-8501
- 506-A WHITE HORSE PIKE
HADDON HEIGHTS, NJ 08035
(856) 546-5100
- 83 NORTH BROAD STREET
WOODBURY, NJ 08096
(856) 848-3900

E-MAIL:

rob.andrews@mail.house.gov

Mr. Dale Klein, Chairman
 U.S. Nuclear Regulatory Commission
 Office of the Chairman
 Washington, DC 20555

Dear Commissioner Klein:

Ref: SEE 104403

Please accept this letter as an indication of my continued interest on behalf of the residents of Newfield, NJ regarding Shieldalloy's proposed decommissioning plan of their site.

As you know, On December 14, 2006, I contacted the Nuclear Regulatory Commission to formally request a public hearing be granted for the purpose of identifying the problems with this proposed plan since the residents and I find it unacceptable. Quite simply, I oppose the current decommissioning plan and I reject Shieldalloy's course of action to simply cap and irresponsibly leave the slagpile onsite.

On behalf of the Newfield residents, I thank Commissioner Jeffrey S. Merrifield for his affirmative action in personally visiting the site on February 20, 2007. The Newfield residents and I were pleased that he was able to tour the facility and witness firsthand the mountain of radioactive material that remains at the site. I hope that this tour served as an informative tour for Commissioner Merrifield and that he will be able to share his visit experience with you and the Commissioners as you render a decision on this time-sensitive matter. Additionally, I commend Commissioner Merrifield for encouraging Shieldalloy to pursue further dialogue with the other interested parties to determine if there are other feasible options to safely clean up the site in a cost effective manner.

To protect the public health and to prevent any long-term affects on the welfare of the residents of Newfield, I ask that you carefully consider the impact of these serious health and environmental issues if this plan was approved. I therefore urge the Nuclear Regulatory Commission to render a decision opposing the proposed onsite decommissioning plan.

As I have stated previously, Newfield residents deserve to live in a community free from any contamination. I am confident that the Nuclear Regulatory Commission will take the necessary action to approve a plan that will appropriately remediate this site without posing risks to health and safety of the Newfield community.

Thank you for your time in reviewing my correspondence which opposes Shieldalloy's proposed decommissioning plan. I look forward to receiving your reply so that I may advise the Newfield residents accordingly. Please forward your reply to my District Office located at 63 North Broad Street, Woodbury, NJ 08096.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Andrews", with a long, sweeping horizontal stroke extending to the right.

Robert Andrews
Member of Congress

REA:smm

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
SHIELDALLOY METALLURGICAL CORP.) Docket No. 40-7102-MLA
)
(License Amendment Request for)
Decommissioning the)
Newfield, New Jersey Facility))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LETTER FROM ANDREW L. BATES TO THE HONORABLE ROBERT E. ANDREWS IN RESPONSE TO HIS LETTER DATED 02/23/07 (ATTACHED) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Alan S. Rosenthal, Chair
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Richard E. Wardwell
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
William Reed
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Bradley W. Jones, Esq.
Margaret J. Bupp, Esq.
Michael J. Clark, Esq.
Office of the General Counsel
Mail Stop - O-15 D21
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Joseph J. McGovern, Esq.
Parker McCay, P.A.
Three Greentree Centre
7001 Lincoln Drive West
P.O. Box 974
Marlton, NJ 08053

Docket No. 40-7102-MLA
 LETTER FROM ANDREW L. BATES TO THE HONORABLE
 ROBERT E. ANDREWS IN RESPONSE TO HIS LETTER
 DATED 02/23/07 (ATTACHED)

Jay E. Silberg, Esq.
 Matias F. Travieso-Diaz, Esq.
 Robert B. Haemer, Esq.
 Pillsbury Winthrop Shaw Pittman LLP
 2300 N Street, N.W.
 Washington, DC 20037-1128

David R. Smith, Radiation Safety Officer
 Shieldalloy Metallurgical Corporation
 12 West Boulevard
 P.O. Box 768
 Newfield, NJ 08344-0768

Loretta Williams
 310 Oakwood Drive
 P.O. Box 311
 Newfield, NJ 08344


Borough of Newfield, New Jersey
 c/o John C. Eastlack, Jr., Esq.
 Solicitor for the Borough of Newfield
 Holston, MacDonald, Uzdevinis, Eastlack,
 Ziegler & Lodge
 66 Euclid Street
 Woodbury, NJ 08096

Terry Ragone
 Newfield Residents Environmental Group
 White Dove Lane
 P.O. Box 605
 Newfield, NJ 08344

Gary D. Wodlinger, Esq.
 110 North 6th Street
 Box 729
 Vineland, NJ 08362

Stuart Rabner, Esq.
 Attorney General of New Jersey
 Andrew D. Reese, Esq.
 Kenneth Elwell, Esq.
 Deputy Attorneys General
 New Jersey Office of the Attorney General
 Department of Law and Public Safety
 Division of Law
 25 Market Street
 P.O. Box 093
 Trenton, NJ 08625-0093

Fred H. Madden, State Senator
 David R. Mayer, Assemblyman
 Paul Moriarty, Assemblyman
 New Jersey Senate and General Assembly
 Holly Oak Office Park
 129 Johnson Road, Suite 1
 Turnersville, NJ 08012


 Office of the Secretary of the Commission

Dated at Rockville, Maryland
 this 10th day of April 2007