

**From:** Patricia Swain  
**To:** "Shieldalloy\_Public\_Emails" <Shieldalloy\_Public\_Emails@nrc.gov>  
**Date:** 11/2/2007 10:14:56 AM  
**Subject:** Fwd: NJDEP Commissioner Lisa Jackson's Letters

Patti Swain  
U.S. Nuclear Regulatory Commission  
Office of Federal and State Materials  
Environmental Management Programs

>>> Kenneth Kalman 5/1/2007 5:06 PM >>>

>>> "Smith, David R. (Windsor,CT-US)" <[DRSmith@trcsolutions.com](mailto:DRSmith@trcsolutions.com)> 05/01/2007 4:18 PM >>>  
Kenneth

Per your request of yesterday please find attached a copy of the three recent letters from Commissioner Jackson.

If you have any questions or need additional information regarding the subject matter please do not hesitate to contact me at (856) 362-8680 (W), (860) 681-1835 (C), or via e-mail at [dsmith@shieldalloy.com](mailto:dsmith@shieldalloy.com)

Dave

**Hearing Identifier:** Shieldalloy\_DP\_Public  
**Email Number:** 10

**Mail Envelope Properties** (472AF8A6.HQGWO01.TWGWPO02.100.131646F.1.189.1)

**Subject:** Fwd: NJDEP Commissioner Lisa Jackson's Letters  
**Creation Date:** 11/2/2007 10:14:56 AM  
**From:** Patricia Swain

**Created By:** PBS2@nrc.gov

**Recipients**

"Shieldalloy\_Public\_Emails" <Shieldalloy\_Public\_Emails@nrc.gov>

<b>Post Office</b>	<b>Route</b>
TWGWPO02.HQGWO01	nrc.gov

<b>Files</b>	<b>Size</b>	<b>Date &amp; Time</b>
MESSAGE	636	11/2/2007 10:14:56 AM
20060803 NJDEP-L Jackson to SMC D Smith-Financial Information due to the cessation of production in June 2006.pdf	90514	11/2/2007 10:15:02 AM
20070130 NJDEP L Jackson to SMC D Smith Request for Financial Statements.pdf		
33552		11/2/2007 10:15:02 AM
20070405 NJDEP L Jackson to SMC D White - NUREG oversight role.pdf		
55621		11/2/2007 10:15:02 AM

**Options**

**Priority:** Standard  
**Reply Requested:** No  
**Return Notification:** None  
None

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



State of New Jersey  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JON S. CORZINE  
Governor

LISA P. JACKSON  
Commissioner

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

Dear Mr. Smith:

RE: Shieldalloy Metallurgical Corporation  
Borough of Newfield, Gloucester County

On August 3, 2006, I wrote to you in response to your letter of May 24, 2006 where you requested the State of New Jersey to accept or reject the role as the governmental institution responsible for the long-term control and maintenance of the restricted release portion of the Shieldalloy Metallurgical Corporation (SMC) site in the Borough of Newfield, Gloucester County. A copy of my letter is attached for your convenience.

In my letter, I requested certain financial information from you because we have serious concerns about SMC's viability in light of the cessation of production processes at the site in June 2006. I had requested the complete financial statements (including all notes) for the past three years for both SMC and its parent corporation. I requested that you forward these financial statements as soon as possible to:

Irene Kropp, Assistant Commissioner  
Site Remediation and Waste Management Program  
401 E. State Street, 6<sup>th</sup> Floor, East Wing, P.O. Box 028  
Trenton, New Jersey 08625

To date neither Ms. Kropp nor I have received the requested information. Therefore, I am again requesting that you provide the requested information to Ms. Kropp as soon as possible. The Department will review the financial information along with other information to determine its role in SMC's decommissioning.

If you have any questions or require additional information, please contact Ms. Kropp at (609) 292-1250 or Nancy Wittenberg, Assistant Commissioner of the Environmental Regulation Program, at (609) 292-2795. Thank you for your attention to this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Lisa P. Jackson".

Lisa P. Jackson  
Commissioner

Enclosure

C: Eric E. Jackson, President, SMC



**State of New Jersey**  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JON S. CORZINE  
*Governor*

LISA P. JACKSON  
*Commissioner*

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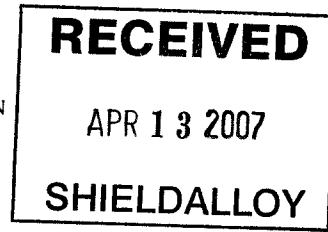
Lisa P. Jackson  
Commissioner

Enclosure

C: Eric E. Jackson, President, SMC



State of New Jersey  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
PO Box 402  
TRENTON, NJ 08625-0402  
TEL. # (609) 292-2885  
FAX # (609) 292-7695



JON S. CORZINE  
*Governor*

LISA P. JACKSON  
*Commissioner*

April 5, 2007

Dr. David J. White, HSE Director  
Shieldalloy Metallurgical Corporation  
545 Beckett Rd, Suite 201  
Swedesboro, NJ 08085-1548

Dear Dr. White:

I am writing in response to your February 27, 2007 letter regarding long-term control and maintenance of the restricted release portion of the Shieldalloy Metallurgical Corporation's (SMC) Newfield Borough site.

SMC did not provide the financial information as requested in my letters of January 25, 2006 and August 3, 2006. Since we have not received this information, we still cannot make a decision regarding the request for the state to take ownership, control, or third party oversight.

According to NUREG 1757, the Long Term Control license option cannot be approved unless the licensee can demonstrate to the satisfaction of the United States Nuclear Regulatory Commission (NRC) that it was unable to establish other types of acceptable institutional controls and independent third party arrangements (i.e., a letter from the State rejecting responsibility for ownership, control, or independent third party oversight). To date SMC does not meet this initial eligibility requirement.

If you have questions, please contact Irene Kropp, Assistant Commissioner of the Site Remediation & Waste Management Program, at (609) 292-1250.

Sincerely yours,

Lisa P. Jackson  
Commissioner

- c: Eric Jackson, President, Metallurg Inc.  
Hoy Frakes, Jr., VP and General Manager, SMC  
David R. Smith, Radiation Safety Officer, SMC  
Larry Camper, Director, NRC/Div. of Waste Management & Environmental Protection