

August 8, 2008

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

NRC STAFF'S EIGHTH STATUS REPORT

In its Memorandum and Order dated May 8, 2007, the Board directed the NRC Staff to file bimonthly reports regarding its review of Shieldalloy Metallurgical Corporation's decommissioning plan (DP) for its Newfield, New Jersey facility.¹ The Staff filed its Seventh Status Report on June 6, 2008, and the Staff filed a supplement to the Seventh Status Report on July 14, 2008.

As noted in the supplemental report, Shieldalloy recently provided the Staff with modified protocols for sampling and leach rate testing of slag and baghouse dust accumulated at the Newfield site. During the week of June 16–20, 2008, Shieldalloy began taking samples from the Newfield site for use in leach rate testing. On June 18, 2008, Staff members visited the Newfield site to observe Shieldalloy's sampling procedures. On June 30, 2008, the Staff provided comments on the leach rate testing protocol during a telephone conference call with Shieldalloy and the New Jersey Department of Environmental Protection. The Staff is presently awaiting Shieldalloy's response to those comments.

¹ Memorandum and Order (Directing the Filing of Status Reports) (May 8, 2007) (unpublished) at 2. The Board directed the Staff to file its first report no later than June 8, 2007 and subsequent reports no later than the end of the first full week of the month when due under the bimonthly schedule. *Id.* The reports are to contain "(1) a brief statement regarding the then status of the technical review; and (2) the Staff's then best estimate as to the completion date of the review and the release of the documents associated with it." *Id.*

Since the Staff filed its supplemental report, Shieldalloy has informed the Staff that it expects to soon receive its contractor's proposed design for the engineered barrier that Shieldalloy plans to use to cover slag and baghouse dust at the Newfield site. After Shieldalloy reviews the cover design, it will submit the design to the NRC. Shieldalloy has also recently informed the Staff that it intends to sample and analyze soil underneath the slag piles and baghouse dust to determine radioactivity content. Shieldalloy has not yet provided dates for when it intends to conduct this soil sampling and analysis.

The dates below reflect the Staff's current best estimates of release dates for documents associated with its technical review of the DP. These dates are the same as those stated in the supplement to the Staff's Seventh Status Report.

- Shieldalloy Submits Rev. 1b of DP, Providing Supplemental RAI Responses
October–November 2008
- Staff Publishes Draft Environmental Impact Statement (EIS)
March 2009
- Staff Completes Final Safety Evaluation Report
April 2009
- Staff Holds Public Meeting on Draft EIS
April 2009
- 45-day Public Comment Period on Draft EIS Ends
May 2009
- Staff Issues Final EIS
November 2009

In accordance with the Board's May 8, 2007 Order, the Staff will submit its next regularly scheduled status report no later than October 10, 2008.

Respectfully submitted,

/RA/

Michael J. Clark
Counsel for the NRC Staff

Dated at Rockville, Maryland
this 8th day of August, 2008

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S EIGHTH STATUS REPORT" in the above captioned proceeding have been served on the following persons by deposit in the United States Mail; through deposit in the Nuclear Regulatory Commission internal mail system as indicated by an asterisk(*); and by electronic mail as indicated by a double asterisk (**) on this 8th day of August, 2008.

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