



### RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

2017-0554

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RESPONSE TYPE

INTERIM

FINAL

REQUESTER:

Jack Campbell

DATE:

06/12/2017

**DESCRIPTION OF REQUESTED RECORDS:**

All environmental reports and studies (primarily of soil, groundwater, and/or radiation contamination) regarding Area II; Buildings 101, 201, 202, 208, 209, and 210 at the Former Frankford Arsenal located at 5601 Tacony Street, Philadelphia, PA from 01/01/2000 to 5/24/2017.

#### PART I. -- INFORMATION RELEASED

You have the right to seek assistance from the NRC's FOIA Public Liaison. Contact information for the NRC's FOIA Public Liaison is available at <https://www.nrc.gov/reading-rm/foia/contact-foia.html>

- Agency records subject to the request are already available on the Public NRC Website, in Public ADAMS or on microfiche in the NRC Public Document Room.
- Agency records subject to the request are enclosed.
- Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- We are continuing to process your request.
- See Comments.

#### PART I.A -- FEES

#### NO FEES

AMOUNT\*

**\$84.54**

\*See Comments for details

- You will be billed by NRC for the amount listed.
- You will receive a refund for the amount listed.
- Fees waived.

- Minimum fee threshold not met.
- Due to our delayed response, you will not be charged fees.

#### PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- We did not locate any agency records responsive to your request. *Note:* Agencies may treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). 5 U.S.C. 552(c). This is a standard notification given to all requesters; it should not be taken to mean that any excluded records do, or do not, exist.
- We have withheld certain information pursuant to the FOIA exemptions described, and for the reasons stated, in Part II.
- Because this is an interim response to your request, you may not appeal at this time. We will notify you of your right to appeal any of the responses we have issued in response to your request when we issue our final determination.
- You may appeal this final determination within 90 calendar days of the date of this response by sending a letter or e-mail to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or [FOIA.Resource@nrc.gov](mailto:FOIA.Resource@nrc.gov). Please be sure to include on your letter or email that it is a "FOIA Appeal." You have the right to seek dispute resolution services from the NRC's Public Liaison, or the Office of Government Information Services (OGIS). Contact information for OGIS is available at <https://ogis.archives.gov/about-ogis/contact-information.htm>

#### PART I.C COMMENTS ( Use attached Comments continuation page if required)

We located 2 records that are responsive to your request. ML113130317 is already publicly available and ML003719490, which will be made publicly available as a result of this request. Records with an ML accession number are publicly available in the NRC Public Electronic Reading Room at <http://www.nrc.gov/reading-rm.html>. If you need assistance in obtaining these records, please contact NRC's Public Document Room (PDR) at 301-415-4737, or 1-800-397-4209, or by email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov)

Signature - Freedom of Information Act Officer or Designee

**Stephanie A. Blaney**

Digitally signed by Stephanie A. Blaney  
DN: cn=US, o=U.S. Government, ou=U.S. Nuclear Regulatory Commission, ou=NRC-PIV, cn=Stephanie A. Blaney, o.9.2342.19200300.100.1.1=200001997  
Date: 2017.06.12 14:23:36 -0400



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PA 19406-1415

May 30, 2000

Raymond J. Fatz  
Deputy Assistant Secretary of the Army  
Room 2E577 The Pentagon  
110 Army Pentagon  
Washington, DC 20310-0110

SUBJECT: FRANKFORD ARSENAL, PHILADELPHIA, PENNSYLVANIA  
NRC LICENSE NOS. SUB- 459 (TERMINATED), SUB-1339 (TERMINATED)

Dear Mr. Fatz:

In a letter of January 23, 1998, (Enclosure 1), we wrote to the Army Materiel Command (AMC) regarding the Nuclear Regulatory Commission's (NRC's) review of terminated license files. Our review of the subject license files indicated that there is insufficient radiological survey data to conclude that the Frankford Arsenal facility meets current NRC guidelines for unrestricted release. At that time, we requested the Department of the Army accelerate the efforts necessary to secure funding to perform a scoping survey (preliminary radiological assessment) of the facility. Your response letter dated March 10, 1998, (Enclosure 2), provided the Army's approval to perform an eligibility determination under the Formerly Used Defense Site (FUDS) program.

We have been in contact with AMC staff who have kept us apprised of the Army's attempts to address our concerns. Although you indicated the Army was committed to completing a satisfactory facility remediation, we are unaware of any significant action on the Army's part to date. To enable us to evaluate the current condition of the facilities and property previously involved with use of licensed material, the preliminary assessment must be performed. A letter dated April 25, 2000, (Enclosure 3), from the Pennsylvania Department of Environmental Protection (DEP) highlights concerns they have with the lack of movement on this project. We believe it is necessary for the Army to expedite its efforts at this time, which may include coordination with the facility owner and State authorities, to resolve the matter at the earliest possible date. Please provide a schedule for completion of the preliminary radiological assessment, and the name of a member of your staff whom we may contact.

We would appreciate a response within thirty days and are willing to meet with you at your convenience if you think a meeting would be beneficial in expediting this process. The NRC contacts for this project are Ronald Bellamy at (610) 337-5200 or John Wray at (610) 337-5268.

R. Fatz

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Thank you in advance for your cooperation.

Sincerely,

***Original signed by George Pangburn***

George Pangburn, Director  
Division of Nuclear Materials Safety

Enclosures:

1. NRC Letter dated January 23, 1998
2. U.S. Army Letter dated March 10, 1998
3. Pennsylvania DEP Letter dated April 25, 2000

cc w/encls:

Denise Chamberlain, PADEP  
David Allard, PADEP

DOCUMENT NAME: C:\temp\save.05312000.wpd

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

OFFICE	DNMS/RI	N	DNMS/RI	DNMS/RI	DRA
NAME	CGordon/CZG		JWray/JRW	RBellamy/RRB1	BFewell/JBF
DATE	5/25/00		4/28/00	4/28/00	4/27/00
OFFICE	DNMS/RI				
NAME	GPangburn				
DATE	5/25/00				

OFFICIAL RECORD COPY



UNITED STATES  
**NUCLEAR REGULATORY COMMISSION**  
REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

January 23, 1998

Docket No. 040-08702  
License No. SUB-01339 (Terminated)

Loren Becker, Acting Chief  
Safety Office  
Commander  
US Army Materiel Command  
Attn: AMCSF-A  
5001 Eisenhower Avenue  
Alexandria, Virginia 22333-0001

**SUBJECT: FORMER NRC LICENSED FACILITY AT BRIDGE AND TACONY STREETS,  
PHILADELPHIA, PA**

Dear Mr. Becker:

The U.S. Army was authorized to conduct licensed activities from 1961 through 1981, at the Frankford Arsenal (Arsenal) in Philadelphia, Pennsylvania, License No. SUB-01339, issued by the U.S. Atomic Energy Commission (AEC), the predecessor agency of the NRC. The license was terminated August 19, 1981, following the completion of decommissioning activities. We have previously communicated to the Army in our letter dated June 26, 1997, our concerns that based on NRC and NRC contractor review, the Arsenal may not meet the current NRC criteria for release for unrestricted use. This letter requests that the Army accelerate their efforts to secure funding for this project, and to initiate a scoping survey as soon as possible.

The NRC records for this license were reviewed as part of an NRC program to ensure that facilities, where activities authorized by the Atomic Energy Commission or NRC licenses that have been terminated, are suitable for release for unrestricted use in accordance with current NRC guidelines. As part of this program, our contractor, Oak Ridge National Laboratory (ORNL), reviewed each terminated license file and scored it according to a system designed to identify facilities which require additional review by NRC staff. In general, files that indicate that licensed material may have been used at particular facilities, but that do not include adequate final survey records for those facilities, were identified for additional review. The review by ORNL identified License No. SUB-01339 as a file describing a site which required additional review.

As discussed in the past, including meetings at the NRC Region I office in December 1996, your office in January 1997, and at the Pennsylvania Department of Environmental Protection's Conshohocken office in June 1997, the NRC is requesting that surveys be performed at the Arsenal to determine its current radiological status. Based on the meeting held at the CECOM Safety Office at Ft. Monmouth, New Jersey, on September 30, 1997, it was our understanding that a resolution to the funding issues regarding the scoping survey was expected to be attained within about two weeks. We are aware of the November 14, 1997 letter to the Assistant Secretary of the Army, but have not been

Enclosure (1)

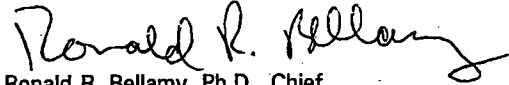
L. Becker, US Army

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informed as to when a resolution might be expected. Although there has been some progress toward securing funding for the scoping survey, the pace of this progress has been disappointing to us. We would appreciate being informed of the status of the funding resolution, and we would be willing to assist in any way you think would be beneficial. Please do not hesitate to call Steve Shaffer of my staff at (610) 337-5256 or me at (610)-337-5200 if there is any way the NRC can be of assistance.

We appreciate the time you afforded us at our recent meeting and look forward to continued cooperation as progress continues on this important project.

Sincerely,



Ronald R. Bellamy, Ph.D., Chief  
Decommissioning and Laboratory Branch  
Division of Nuclear Materials Safety

Docket No. 040-08702  
License No. SUB-01339 (Terminated)

cc:  
Commonwealth of Pennsylvania



DEPARTMENT OF THE ARMY  
OFFICE OF THE ASSISTANT SECRETARY  
INSTALLATIONS LOGISTICS AND ENVIRONMENT  
110 ARMY PENTAGON  
WASHINGTON DC 20310-0110

MAR 10 1998

Ronald R. Bellamy, Ph.D.  
Chief, Division of Nuclear Materials Safety  
Nuclear Regulatory Commission, Region I  
475 Allendale Road  
King of Prussia, Pennsylvania 19406-1415

Dear Dr. Bellamy:

This letter is in response to your letter of January 23, 1998, to the Army Materiel Command regarding future response actions on the former Frankford Arsenal, near Frankford, Pennsylvania. The Army Materiel Command (AMC) has requested that this office approve transition of responsibility for future response actions at this property to the Formerly Used Defense Site (FUDS) program. To date, we have obtained approval from the Deputy Under Secretary of Defense (Environmental Security) to conduct a FUDS eligibility determination for the former Frankford Arsenal. We have taken action to direct the Army Corps of Engineers to perform the eligibility determination within the next two months.

In addition, we have requested that representatives of AMC, FUDS and the Army Environmental Center (AEC) review our records regarding the cleanup of the Frankford Arsenal prior to the sale of the property by the General Services Administration in 1983. Representatives of AMC will be contacting your office in the next two months to discuss their findings and to discuss any future response actions that may be required. Both AEC and FUDS representatives will assist AMC in this effort.

I assure you that the Army is committed to seeing that the cleanup of this site proceeds as fast as possible to a satisfactory completion. We appreciate your patience, as we work through this unprecedented situation of addressing the reexamination of a former NRC licensed site.

Sincerely,

  
Raymond J. Fatz

Deputy Assistant Secretary of the Army  
(Environment, Safety and Occupational Health)  
OASA(I,L&E)

Printed on  Recycled Paper

MAR 17 1998

Enclosure (2)



Pennsylvania Department of Environmental Protection

Rachel Carson State Office Building  
P.O. Box 2063  
Harrisburg, PA 17105-2063  
April 25, 2000

Office of Air, Recycling and Radiation Protection

717-772-2724

Colonel Stacey Hirata  
Headquarters, Department of the Army  
Office of the Assistant Chief of Staff  
for Installation Management  
Director of Environmental Programs  
600 Army Pentagon, Room 2A684  
Washington, DC 20310-0600

Re: Formerly Used Defense Site Frankford Arsenal  
Philadelphia County  
FUDS ID No. C03PA004204  
PADEP ID No. 1-51-0-15152

Dear Colonel Hirata:

I am writing to request your assistance in resolving several issues we have encountered at the former Frankford Arsenal facility in Philadelphia, Pennsylvania. This property is a Formerly Used Defense Site (FUDS), included in our 1998 Cooperative Multi-Site Agreement (CMSA).

The restoration work is being conducted under the direction of the Army Corps of Engineers, Baltimore District (USACE). The issues where your assistance would be helpful are as follows:

1. The Department has reviewed the January 1981 Final Report for the Frankford Arsenal Decontamination/Cleanup Program, prepared by Rockwell International. The U.S. Army Toxic and Hazardous Materials Agency (USATHMA) referred to this document in its Statement of Clearance for the Frankford Arsenal dated February 13, 1981. Based on our review, the Department believes the 1981 Final Report is inadequate and that a Comprehensive Site Characterization is necessary and appropriate for the Frankford Arsenal. In light of Frankford Arsenal's 161 year history as a munitions manufacturing and research facility, the investigation should include an unexploded ordnance (UXO) investigation. The site owner encountered unexploded ordnance in 1985. However, the activities planned by USACE under the FUDS program do not include this additional work, which must be performed before any intrusive environmental characterization may begin.



Colonel Stacey Hirata

-2-

April 25, 2000

2. The Nuclear Regulatory Commission (NRC) needs to access and survey the property as part of a federal program to examine locations decommissioned prior to the promulgation of nationwide cleanup standards for radioactive waste. The work has been repeatedly delayed due to a disagreement as to whether the necessary funding will be provided by the Department of the Army, the former site operator, or by FUDS.
3. Based upon our review of archival documents, the Department believes that the site should be evaluated within the framework of the Pennsylvania Land Recycling and Environmental Standards Act (Act 2). This evaluation would include a historical review of site operations and the analysis of soil and groundwater for constituents of potential concern as part of a comprehensive site characterization.

Some of these aforementioned concerns directly involve public health and safety. While our working relationship with the Baltimore District USACE has been cooperative and productive, the resources they are allocated limit their ability to act at this site. In the spirit of our cooperative partnership that began with the signing of our CMSA, I look forward to working with you to bring about the action we need. Please contact Bruce Beitler of the Southeast Regional Office, at 610-832-5950, if you have questions.

Sincerely,



Denise K. Chamberlain  
Deputy Secretary for  
Air, Recycling and Radiation Protection