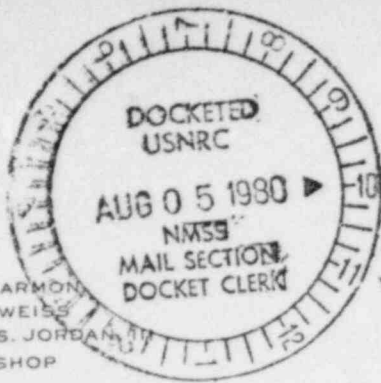


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HARMON & WEISS

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GAIL M. HARMON  
ELLYN R. WEISS  
WILLIAM S. JORDAN  
LEE L. BISHOP

July 23, 1980



W. T. Crow, Section Leader  
Uranium Process Licensing Section  
Uranium Fuel Licensing Branch  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Subject: United Nuclear Corporation Facility at  
Wood River Junction, Rhode Island

Dear Mr. Crow:

I want to thank you for your openness in discussing the situation at the United Nuclear Corporation Wood River Junction facility with me last week. I also want to express my appreciation for your attitude that the public will be best served by having all of the information that is necessary to understand the situation and to answer the serious safety questions that have arisen. In that spirit, I set out below some of the major concerns of my client, Concerned Citizens of Rhode Island, and pose a number of questions.

I have also attached a copy of a Freedom of Information request that I am sending to the NRC related to these issues. I hope that the apparent necessity to make such a formal request will not hinder communications between us or in any way delay your response. I will be glad to discuss these matters with you by telephone if it will help you have a clearer understanding of our needs.

At this point, CCRI is particularly concerned with two issues, the discovery that radioactive waste was buried at the UNC site, and the discovery that Strontium 90 is present, apparently as a soil contaminant, if not also in storage or elsewhere. My questions here will be limited to those areas since they require the most urgent consideration. In the future we will probably also raise similar questions with respect to the groundwater and soil contamination issues.

With respect to the buried waste issue,

1. Please explain the meaning and significance of the information contained on the marker itself, including any initials and the apparent reference to the year 1968.

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2. What was the purpose of the waste marker? Was it prepared and put in place pursuant to any formal or informal NRC requirements? If so, what requirements were involved, and what requirements would now be applicable?
3. When and precisely where was the waste buried? Given the seriousness of the storage of radioactive wastes, I assume that the NRC's or UNC's records will show the exact date, not simply the year.
4. How much waste was buried at that time or times?
5. Under what authority was the waste buried?
6. What happened to the waste identified by the marker? What is the basis for your knowledge on this point? Again, given the seriousness of the matter, I assume that NRC or UNC documents will show exactly when and how the materials were handled. This question encompasses the containers in which the waste was buried in addition to the waste itself.
7. Have there been any other radioactive waste burials at the UNC facility? If so, please answer all of the previous questions with respect to those burials. If not, how do you know, and what do you intend to do to assure that, in fact, no other burials took place? I suggest, in this regard, that the NRC must, at a minimum, undertake a complete survey of the immediate vicinity of the plant, and a thorough random survey of the remaining UNC acreage, including any that is used for crop production. In addition, I emphasize that UNC assurances cannot be enough to support an NRC position that no other burials exist. While CCRI is not in a position to charge UNC with illegal dumping or false statements about other possible burials, it is an unfortunate and tragic fact of American life that many corporations once thought to be trustworthy have buried and dumped hazardous wastes throughout the country and have made every effort to cover up their actions.
8. What actions will the NRC take to assure that no radioactive wastes are buried on the UNC site in the future, either during operations, or at any other time before UNC leaves the property?

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With respect to the presence of Strontium 90,

1. Our investigations to date fail to reveal any indication that UNC has ever had permission to have materials containing Strontium 90 or other fission products on the Wood River Junction site. Has the NRC ever allowed UNC to handle or store such materials on the site or to take any actions that would result in the production of such materials on the site?
2. UNC has stated that the Strontium 90 may have come from some spent fuel that was sent to UNC from a "zero power reactor." What reactor did this fuel come from, when, and under what circumstances? Did UNC have any form of permission from the NRC to receive this sort of material? If, in fact, UNC received spent fuel of any sort, wasn't it involved in spent fuel reprocessing, for which it clearly is not licensed? How much fuel was involved, and exactly what became of it?
3. UNC has also speculated that the Strontium 90 may have come from the fatal chain reaction accident that occurred in 1964. Exactly what happened to the materials that were involved in that accident and to any materials that might have been contaminated by the accident? Where and how were they stored? When, if ever, were they moved off the site?
4. Could the Strontium 90 have come from any other source? Apparently the Chinese nuclear tests have been suggested. Surely you realize that this sort of claim is nothing short of laughable and is the type of thing that does serious damage to the credibility of the nuclear establishment in the absence of convincing evidence. The claim obviously has no validity unless it can be shown that Strontium 90 exists elsewhere in the state at concentrations similar to those found at UNC.
5. What is the NRC going to do to determine the full extent of Strontium 90 at the site, whether as a soil or water contaminant, or in storage.

I am afraid that my questions appear rather like formal interrogatories in litigation, which probably is not conducive to an atmosphere of openness and complete communication. I can only assure you that they reflect my effort set out the points


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that my clients and their neighbors need to have answered in order to understand the current situation. I would note, in addition, that many of my questions probably cannot be answered with the information available to you today. No doubt much of the information is in the hands of the company, in which case you will have to obtain it from them both for your own purposes and for ours.

I look forward to your response, which I hope will be forthcoming soon. As you know, public concern is considerable, and there is a very real need to have complete information as soon as possible, or at least to have a detailed understanding of the steps that the NRC intends to take to gather information and to assure the public safety.

Sincerely,



William S. Jordan, III

WSJ/lc

Attachment

cc: Samuel Seely, President  
Concerned Citizens of Rhode  
Island

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GAIL M. HARMON  
ELLYN R. WEISS  
WILLIAM S. JORDAN, III  
LEE L. BISHOP

July 23, 1980

Mr. Joseph Felton  
Freedom of Information Officer  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Subject: FREEDOM OF INFORMATION REQUEST

Dear Mr. Felton:

On behalf of Concerned Citizens of Rhode Island (CCRI), I request access to and copies of the agency records identified below, as provided by the Freedom of Information Act and 10 CFR Part 9. These documents are all related to the United Nuclear Corporation scrap recovery plant at Wood River Junction, Rhode Island. In the interest of simplifying and expediting your response to this request, I have forwarded a copy of this letter to Mr. W.T. Crow, of the Uranium Process Licensing Section, whom I understand to be the NRC official directly responsible for matters related to this UNC facility.

We request copies of the following agency records. Please interpret the term "documents" to encompass any written materials in the files of the NRC, including correspondence, internal memoranda, minutes of conversations and meetings, and other writings, whether typed or handwritten.

1. All documents related to the burial of radioactive wastes of any kind at the UNC facility in Wood River Junction, Rhode Island. This request is triggered by the recent discovery of a radioactive waste burial marker at the facility and by the fact that the NRC apparently was not aware of the burial. The request encompasses in particular documents related to any requests for permission to bury radioactive wastes at the site, any reports of actual burials, whether permitted or not, and any discussions concerning actions to be taken by the NRC with respect to radioactive waste burials at the site, either now or in the future.
2. All documents related to the possibility that Strontium 90 is present at the UNC facility, either as a soil or groundwater contaminant, or

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in any other form. This request encompasses in particular any documents related to requests for permission to handle or store Strontium 90 or other fission products at the facility. It also encompasses any records of Strontium 90 being present at the site from any source, including the fatal chain reaction accident that occurred in 1964.

3. All documents related to the receipt by the UNC facility of fuel for or from a "zero power reactor." The receipt of such fuel was discussed by UNC representatives at a public meeting in Charlestown, Rhode Island, on July 8, 1980. The documents requested include any that identify the source of the fuel, the design and other characteristics of the zero power reactor, the design and other characteristics of the fuel, the dates on which the fuel was received at the UNC facility, and the ultimate disposition of the fuel.
4. All documents related to the disposition of the nuclear material that was involved in the fatal chain reaction accident that occurred at the UNC facility in 1964, and of any containers or materials that were contaminated as a result of that accident.

Since CCRI is a citizens organization that relies on dues and contributions for support, I request that you waive any search or copying fees that would otherwise apply. In support of that request, I submit the following information, as required by 10 CFR 9.14a(c):

1. The information contained in the records and any conclusions by CCRI will be made available to the public through press releases and public meetings. It will also be provided to responsible local officials. In addition, it will be available to the public upon request.
2. The public that will be benefitted by the request includes at least the entire population of Charlestown, Rhode Island, if not the population of the entire state, whose safety and peace of mind depends upon the prompt and safe resolution of safety problems recently identified at the UNC facility.

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3. The tangible benefit to be derived from dissemination of the information will be a thoroughly aware community that will be able to judge for itself the situation at the UNC facility. This will be a substantial improvement over the current lack of information and sense of imminent or potential health hazard.
4. CCRI will receive no financial benefit from receipt or use of the requested materials.
5. Any unnecessary cost is a strain on CCRI's resources, but it could probably afford a minimal amount in the range of \$25.00.
6. The information will be used to assure that the public and local and state officials are fully informed about safety issues so that they can participate effectively in NRC and other agency efforts to remove recently identified safety hazards.

Thank you for your assistance. I request and look forward to your response within the statutory 10 day time limit.

Sincerely,



William S. Jordan, III

WSJ/lc