

A-152

Docket No. 40-00086

DEC 14 1982

MEMORANDUM FOR: *[Signature]* John D. Kinneman, Chief, Materials Radiological Protection Section

FROM: Myu A. Campbell, Radiation Specialist

SUBJECT: MEETING BETWEEN REPRESENTATIVES OF THE NUCLEAR REGULATORY COMMISSION AND THE DEPARTMENT OF ENERGY TO DISCUSS THE W. R. GRACE & CO. FACILITY, WAYNE (POMPTON PLAINS), NEW JERSEY

A meeting was held on December 14, 1981, between representatives of the Department of Energy (DOE) and the representatives of the Nuclear Regulatory Commission (NRC) to discuss the contamination at the W. R. Grace & Co. facility in Wayne (Pompton Plains), New Jersey. The objective of this meeting was to determine which agency had lead responsibility for this site. A list of attendees is enclosed.

The meeting was called to order by the representative of NRC from IE:HQ. The representatives from the NRC, Region I, started the meeting discussion by describing the history of the use of this site and the current condition of the site. They also described the EG&G overflight and the preliminary ground surveys performed offsite.

The DOE representatives stated that Aerospace, the DOE contractor which is responsible for researching records of contracts, had provided them with copies of the contracts between the W. R. Grace & Co., and the AEC, but that they had not reviewed these documents.

The Region I, NRC representatives described briefly the type of activities performed by the company which is renting the buildings at this facility. These activities do not involve significant quantities of radioactive material and do not involve disturbing the material buried at this facility.

The DOE and NRC representatives agreed that the next step for the lead agency was to have an in-depth survey performed. This survey should characterize the extent of the contamination, onsite and offsite, and determine whether control of erosion and other potential mechanisms for transport of the material are immediate concerns. DOE representatives stated that although they have the authority to perform surveys of this facility from previous AEC contracts, they do not perform surveys on a priority basis unless they also have responsibility for remedial action. They informed the NRC representatives that DOE responsibility for remedial action would have to be determined by their General Counsel, and that this would take a minimum of two weeks.

The representatives from the office of Nuclear Materials Safety and Safeguards (NMSS), NRC stated that a survey could be performed by Oak Ridge Associated Universities (ORAU) in early 1982 under the contract for surveys with the NRC. They stated that they would wait for two weeks to allow the DOE representatives

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to speak with the DOE General Counsel but that they would discuss accepting responsibility as the temporary lead agency for a survey with their management, so that the survey could proceed. The representative from the Office of Executive Legal Director (OELD), NRC, stated that the NRC had the authority to perform surveys resulting from the activities performed on this site which were authorized by an AEC license. He stated that the termination of the license by the NRC would have to be considered prior to any enforcement action against the licensee to require further decontamination.

The DOE representatives requested a meeting with the representatives from the NMSS, NRC, to discuss criteria for decontamination, to assure that both agencies use the same criteria. They also requested a discussion of survey procedures so that both ORAU and ORNL perform the same type of surveys. DOE also requested that they discuss jurisdiction problems to related to contaminated sites located outside of Region I.

No agreement was reached during this meeting on which should be the lead agency regarding the W. R. Grace facility in Wayne (Pompton Plains) New Jersey. The DOE representatives agreed to inform the NRC about their decision on remedial action. The NRC representatives agreed to inform the DOE about their decision on performing surveys in 1982. A future meeting regarding this site was tentatively discussed.

Original Signed By:

Myu A. Campbell
Radiation Specialist

Enclosure:
As stated

MEETING OF DOE/OOS AND NRC STAFF
REGARDING RESIDUAL RADIOACTIVE MATERIAL
AT POMPTON PLAINS, NEW JERSEY

DECEMBER 14, 1981

<u>NAME</u>	<u>AFFILIATION</u>	<u>TELEPHONE</u>
Jerry Counts	DOE/OOS	353-5487
Doug Sly	IE/HQ, NRC	492-9896
H. D. Thornburg	IE/HQ, NRC	492-4935
T. T. Martin	Region I, NRC	488-
M. A. Campbell	Region I, NRC	488-1246
R. G. Page	NMSS, NRC	427-4309
W. Crow	NMSS, NRC	427-4100
William E. Mott	DOE/OOS	353-3016
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Arthur J. Whitman	DOE/OOS	353-5439