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DAVID WAKS
COUNCILMAN
WAYNE, NEW JERSEY

RESIDENCE:
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PATERSON, NEW JERSEY 07505
742-5555

January 6, 1981

Nuclear Regulatory Commission
United States Government
King of Prussia, Pennsylvania

Gentlemen:

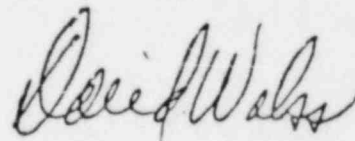
I am advised that there is nuclear waste buried on a site in Wayne Township in the area formerly occupied by the W.R. Grace Company at 868 Black Oak Ridge Road. I am informed that the nuclear waste may have been buried at the site by the W.R. Grace Company.

I would very much appreciate it if you would promptly advise me as follows:

1. Can the site be inspected for proper disposal of the waste and can the waste be removed from the site.
2. Can you furnish me with any documentation which you have pertaining to this matter.

Thank you for your attention.

Very truly yours,



DAW:eo

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State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF ENVIRONMENTAL QUALITY
BUREAU OF RADIATION PROTECTION
320 SCOTCH ROAD, TRENTON, N. J. 08628

February 11, 1981

Dr. William E. Mott
U. S. Department of Energy
Mail Stop E-201
Washington, D. C. 20545

Dear Dr. Mott:

Recently, the attached information was provided to me by Mr. Armin Wille of W. R. Grace. Could you check your records and determine whether or not this site was or should be evaluated by the DOE under FUSRAP?

Sincerely,

Jeanette Eng, Director
Radiation Decontamination Assessment
Bureau of Radiation Protection

U: cab
Enclosure: Document

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GRACE

Devision Chemical Division

W. R. Grace & Co.
P.O. Box 2117
Baltimore, Maryland 21203

(301) 659-9000
Direct Dial (301) 659-9058

November 19, 1981

Mr. Bernadette Rocco
Oak Ridge Associated Universities
P. O. Box 117
Oak Ridge, Tennessee 37830

Dear Ms. Rocco:

Mr. Ron Mace has informed me that you would like to visit our Pompton Plains, New Jersey, site sometime early in December. He also said you had agreed to provide us with a copy, or abstract, of your contract with the NRC as evidence of your authorization and legal justification for inspecting our property. There are four other items we must ask of you:

- (1) Please review the AEC/NRC files on our Pompton Plains facility and its operations over the years. I'm sure the NRC must have a considerable file on the subject since we have worked with them and the AEC for many years during operation of the facilities and during the 1974 decontamination. In 1974, we decontaminated the buildings that were formerly on the site, covered some old settling ponds with earth, and removed certain outbuildings and tanks. After inspection and approval by the NRC, the facility was "released for unrestricted use" by the NRC. This release was duly executed by NRC and is in our files.

During the 1974 cleanup, our contractor, with my approval, consulted our AEC files in Washington. Should you need approval, despite your NRC contract, I will be glad to authorize your perusal of our files. I believe you will find that the buried radioactive wastes at the Pompton site are the responsibility of the NRC because the manufacturing operation that generated these wastes was done under an AEC contract in which the AEC assumed such responsibility. The wastes were buried according to AEC regulations

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- then in force and were inspected from time to time by AEC inspectors. One of these inspectors was Mr. Paul Klevin, who later (in 1974) provided us with consulting service during the cleanup and decontamination of the property.
- (2) We would like a brief statement in writing as to the nature of your proposed early-December survey.
 - (3) Please also give us some idea of the probable scope of tests you might propose to the NRC. We are much concerned about the possible drilling of wells for core samples, lest the drilling penetrate the clay underneath the waste and permit leaching of radioactive wastes into the water table. We must have assurances that this will not happen. We went to considerable expense to cover, grade, and seed the burial area and now have a good cover of vegetation, including some fairly good-sized trees. We do not want the trees removed, as we believe they help stabilize the topsoil against erosion. Another concern is for protection of the surface soil against rutting by heavy trucks or drilling equipment. Any drilling must be done when the soil is quite dry. When wet, it is very soft.
 - (4) In the event further action may be taken, we would expect the development of an appropriate proposal, hold-harmless and other definitive and appropriate provisions protecting this company from injury, claims and damages arising from the work to be done. This work would, of course, be agreed upon in detail, both with regard to its nature and objectives.

We must have a reply to the first three of these requests before any inspection of our property can be allowed.

I feel strongly that after an examination of our files and a consideration of the possibility of environmental damage by any drilling program, you will come to the same conclusion we have that the AEC inspection and clearance in 1974 was adequate for

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all legitimate purposes and that any further inspections, tests, or, particularly, drilling would not prove beneficial and would not justify the expenditure of taxpayers' monies.

Very truly yours,

Burton L. Mobley

Burton L. Mobley
Manager
Environmental Control

BLM:nbs

cc: Mr. Robert Barber, Chief
Nuclear Technologies Branch
Environmental & Safety
Engineering Division
Department of Energy
Washington, D. C. 20545

Dr. William Mott, Director
Division of Environmental
Control Technology
Department of Energy
Washington, D. C. 20545

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