

JOHN GLENN

OHIO

COMMITTEES:

- GOVERNMENTAL AFFAIRS, CHAIRMAN
- ARMED SERVICES
- SELECT COMMITTEE ON INTELLIGENCE
- SPECIAL COMMITTEE ON AGING

United States Senate

WASHINGTON, DC 20510-3501

January 3, 1994

TO: Dennis Rathbun
Congressional Affairs
Nuclear Regulatory Commission
Washington, D.C. 20006-1276

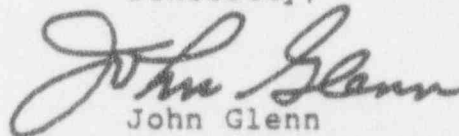
ENCLOSURE FROM: Sherwood Hamilton Bauman
Save the Wills Creek Water Resources Committ
6354 Cowgill Lane
Cumberland, OH 43732

RE: GUERNSEY COUNTY
Constituent has concerns regarding Shieldalloy Metallurgical
Corporation. Please review enclosed correspondence and advise.

I forward the attached for your consideration. I would appreciate receiving your response in duplicate and the return of the original correspondence as soon as possible.

Thank you for your time and effort.

Sincerely,



John Glenn
United States Senator

Please direct reply to:

Senator John Glenn
200 North High Street, Suite 600
Columbus, Ohio 43215

(614) 469-6697 ~~614-469-6697~~

Attention: Ms. Anisa Bell

9403240247



DEPARTMENT OF THE ARMY
 HUNTINGTON DISTRICT, CORPS OF ENGINEERS
 502 EIGHTH STREET
 HUNTINGTON, WEST VIRGINIA 25701-2070

REPLY TO
 ATTENTION OF

Operations and Readiness Division
 Regulatory Functions Branch

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

To	<i>Anisa Bell</i>	From	<i>Frank Matthews</i>
Dept./Agency		Drawn #	
Fax #		Fax #	
NSM 7540-01-317-7399		SOPB-101 GENERAL SERVICES ADMINISTRATION	

Honorable John Glenn
 United States Senator
 ATTN: Ms. Anisa Bell
 200 North High Street, Room 600
 Columbus, Ohio 43215

Dear Senator Glenn:

I refer to your recent letter referring a citizen's concern regarding the Shieldalloy Metallurgical Corporation's industrial waste disposal site in Cambridge, Guernsey County, Ohio.

We became aware of this project in 1989 after Shieldalloy Metallurgical Corporation (SMC) began decommissioning of their radioactive industrial waste site. Our investigation indicated that the radioactive industrial waste disposal site is located in a jurisdictional wetland adjacent to Chapman Run, a water of the United States. Corps representatives inspected the site and determined that the activity did not fall under the jurisdiction of the Corps under Section 404 of the Clean Water Act. In accordance with the memorandum of agreement between the Corps and USEPA, that agency was furnished our findings on March 21, 1989.

The SMC operation is licensed by the Nuclear Regulatory Commission (NRC). The waste resulted from processing of ore to produce metal alloys. NRC is taking the lead in this matter. NRC held a meeting in Columbus, Ohio on November 22, 1993 regarding the selection of a disposal site. A representative from this office attended that meeting. NRC is now preparing an Environmental Impact Statement to guide them in making a decision on whether on-site disposal should be authorized. My staff will continue to coordinate with NRC as needed.

I hope this information is useful.

Sincerely,

Earle C. Richardson
 Earle C. Richardson
 Colonel, Corps of Engineers
 District Engineer

To: The Honorable John Glenn
U. S. SENATE
WASHINGTON, D.C. 20510

From: Save The Wills Creek Water Resources Committee
6354 Cowgill Lane
Cumberland, Ohio 43732

Subj: ShieldAlloy Dumpsite/Guernsey County, Ohio

Dear Senator John Glenn:

We, The Save The Wills Creek Water Resources Committee (hereafter called WCW), are living near and having our health threatened by a Toxic and Low Level Radiation Dump that extends into a Wetlands that Supplies the entire communities Drinking water Supply. We fear, that because of government inaction or ineptitude, our and our childrens long term health has been put at a grave and increased Danger to cancer and possible birth defects. Problems at the site include A). Over 600,000 TONS of Low Level Radioactive Waste, B). Unknown amounts of buried TOXIC wastes, and C). Over a MILLION pounds of Chromium Dust in thier baghouse, with possible Chromium contamination. We are writing to ask for your help in this matter.

The problems at this site, date back to at least 1981. The NEW problem with Chromium, was just found by Ohio EPA in May of this year. They were fined (see attached letter) for dumping Chromium and Chlorine into the Water Treatment plant just last year. Water tests conducted back in 1989, showed heavy metal contamination of the Creek, downstream from the party's (ShieldAlloy) plant site.

Although the US EPA knew of problems at this site back in 1989, it took them until spring of 1993 (FOUR FULL YEARS) to conduct additional water tests. They are now REFUSING to let us the citizens see results. The Army Corp., could have ordered the removal of the Low Level Waste from the Wetlands back in the eighties, but instead has chosen to do nothing. The NRC actually allowed a company Cypress/Foote Mineral, to transfer thier responsibility to another company, and deactivated thier license. There are so many examples of goverment bungling, that we would need a book to update you on all of them.

WCW needs your help in cleaning up this site, before it is to late, and we as citizens have A. lost our safe drinking water supply, and B. our health has been permently affected in a negative way. We are hoping that you will meet us on site, to inspect same, and listen to our concerns as citizens. Two, we are hoping that you will intervene on our behalf with all of the State and Federal agencies involved with this site.

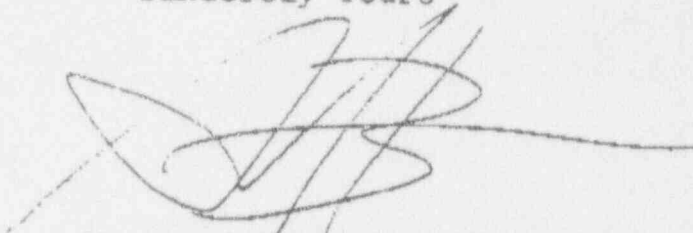
We, the Save The Wills Creek Water Resources Committee, are worried for ourselves, our children and the community. The very LIVES of our citizens is being put in DANGER. We are looking forward to working with you, and will follow this letter up with a phone call in ten days or so. In the mean time, should you have any immediate questions, or need additional in-

formation, please feel free to call our Chairman. His home phone and name are:

Sherwood Bauman
(614) 638-2529

Again, we thank you in advance for your help and assistance in this important issue.

Sincerely Yours

A handwritten signature in black ink, appearing to be 'SHB', written over a horizontal line.

Sherwood Hamilton Bauman
(Chairman)
Save The Wills Creek Water
Resources Committee.

CC Cambridge Mayor
Governor Voinovich
State Legislator

FACT SHEET
SHIELDALLOY/FOOTE-MINERAL, CAMBRIDGE, OHIO

NUCLEAR REGULATORY COMMISSION REFERENCE NUMBERS DOCKET
NUMBER: 40-8948 LICENSE NUMBER: SMB-1507

1. This site has environmental problems, that fall under the Jurisdiction of the NRC, US EPA, ARMY CORP OF ENGINEERS, AND THE OHIO EPA.
2. The US EPA, contracted for water tests of the site in the spring of 1993. Although the results of the test are in a releasable form, said agency has rolled them over into part of another docket still in draft form, to avoid releasing them.
3. Company submitted decommissioning report, did not include a water test result, nor and environmental impact study, this despite the fact that ten acres of trees have been killed off and the site extends into a wetland area.
4. Site contains over 600,000 Tons of low grad Radioactive waste, in two separate slag piles, that extend into wetlands that drain into the city of Cambridge water supply.
5. Shieldalloy has been fined by the Cambridge Water Plant, for Chlorine and Chromium dumping, and disregard for rules of their permit.
6. On May 5, 1993 and on site inspection uncovered a new problem of possible Chromium contamination, and sites a MILLION POUND pile of Chromium dust in their baghouse.
7. Sheildalloy has sought Chapter 11 bankrupt protection, in the Seventh Circuit court in New York. However; the original polluter, Foote-Minerals parent company in Colorado, Cypress Foote-Mineral, has assets of over FIVE MILLION DOLLARS.
8. The site also contains unknown quantities of Toxic Waste, buried in unknown locations on the site.
9. This site sits right in the middle of a one hundred year flood plain, in a wetland, that flows into what is currently the city of Cambridge and the County of Guernsey's only drinking water system.
10. Although we have no proof, rumor has it that some of the Low Level Slag was sold as construction fill and driveway material. We are wondering why the NRC hasn't considered a fly over RAD test for the county, to check for possible HOT SPOTS.
11. Although the NRC is currently pursuing and allegation, for some in unknown reason, the largest radioactive pile, that is accessible to the general public, has not been fenced and posted.
12. A verified complaint was filed with the Ohio EPA, and a Freedom of Information request sent to US EPA by one Sherwood Bauman, both attached as enclosures.

Continued on Page 2

Page 2
Fact Sheet

15. By Sheildalloys own admittance, the Cleanup of just the low level RAD materials could approach HALF OF A BILLION DOLLARS. See Decommissioning Report available from NRC.

IMPORTANT CONTACTS FOR FURTHER INFORMATION OR REVIEW

OHIO EPA--Dave Hunt, (614) 385-8501

NRC--Chad Glenn (301) 504-2546

US EPA- (person refusing test results) Dan "O" Reardon (312) 353-9390

Army Corp of Engineers (304) 529-5210 (these people never even got back to our group to discuss our concerns.)

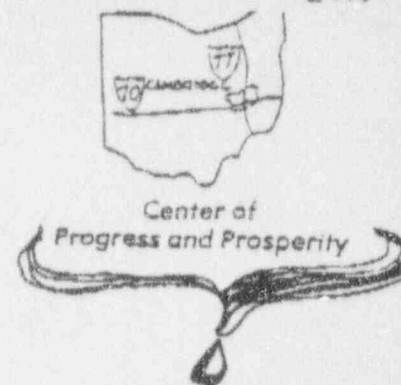
Sierra Club--Bob Greenbalm (216) 932-5264

National Wildlife Federation--Rick Spencer (202) 797-6800

Save The Wills Creek Water Resources--Sherwood Bauman (614) 638-2529

CITY OF CAMBRIDGE
ADMINISTRATION BUILDING
1131 STEUBENVILLE AVENUE
43725

JERRY WILLIAMS
UTILITIES DIRECTOR
1700 BURGESS AVE.
614-439-4266



April 22, 1992

Mr. Charles Montague
Plant Manager
Shieldalloy Metallurgical Corporation
P.O. Box 310
Cambridge, OH 43725

Re: Industrial Wastewater Discharge Permit Violation
Notification of Enforcement Action

Dear Mr. Montague:

This letter is to advise you that the City of Cambridge has found Shieldalloy Metallurgical Corporation (SMC) to be in excessive violation of its Industrial Wastewater Discharge Permit limit for free Chlorine (0.5 mg/l), and of City Sewer Use Ordinance Sections 50.022 A, B (1, 4, 5, 10, 12); and 50.044. The penalties for violation fall under Section 50.999; in addition, Section 50.085 (which allows for recovery of costs for damages to the treatment works) may apply to this violation.

The excessive violation occurred on April 16, 1992. I reviewed the circumstances of this violation and other violations with the Wastewater Treatment Superintendent, the Mayor and the City Attorney. Enclosed with this violation letter is a detailed report of the events of this violation. Also, repeated violations of the free Chlorine permit limit have occurred since the City's last significant enforcement action on June 5, 1990, which resulted in a fine. A table of these Chlorine violations accompanies this letter.

Since SMC has rather consistently violated its permit for free Chlorine, and other pollutants, notably chromium, without what I consider much regard for permit compliance, nor requirements to notify the City when any such violation has occurred, SMC is fined \$5,500, payable to the City of Cambridge within 10 business days from the date of this letter, plus an additional \$15,000 for the repair of damage caused to the lift station.

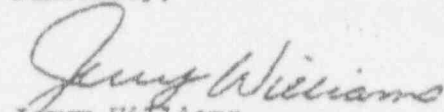
The City acknowledges SMC's pretreatment efforts to control its chromium discharge; however, the list of free Chlorine violations demonstrates an uncommitted response to correction of these recurring violations.

The City is required by Ohio EPA and USEPA to aggressively enforce all violations of its industrial discharge permits. I think the City has been most understanding with SMC's discharge problems, having granted

extensions for compliance with permit limits on several occasions. However the City is preparing a strict compliance schedule for SMC to come into and remain in complete compliance with its industrial wastewater discharge permit and all provisions of the City's Sewer Use Ordinance.

I am willing to meet with you and plant officials and to assist SMC in its return to and continued permit compliance. If you have any questions concerning this action, please contact me at your earliest convenience.

Sincerely,



Jerry Williams
Utilities Director

JW:ch

Copies: Office
Mayor Schaub
Atty. Andy Rocker



DEPARTMENT OF THE ARMY
HUNTINGTON DISTRICT, CORPS OF ENGINEERS
502 EIGHTH STREET
HUNTINGTON, WEST VIRGINIA 25701-2070

March 21, 1989

REPLY TO
ATTENTION OF:

Operations and Readiness Division
Regulatory Functions Branch
Chapman Run Wetlands-Solid Waste Dump

3/24/89

Mr. Tom Glatzel
U.S. EPA, Region 5
230 South Dearborn Street
Chicago, Illinois 60604-1509

Dear Mr. Glatzel:

Reference is made to your recent telephone conversation with James L. Blake of our Muskingum Basin Permit Office concerning low radioactive solid waste disposal in wetlands adjacent to Chapman Run, a water of the United States located in Cambridge, Ohio.

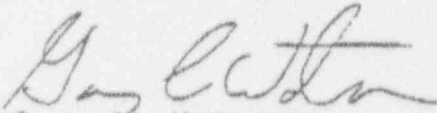
Shieldalloy Metallurgical Corporation (SMC) has met with Mr. Blake at the site concerning fill to cover a solid waste dump on their property. The Nuclear Regulatory Commission is reviewing the Company's proposal to decommission the waste since they authorized the storage of radioactive materials. The earthen or other fill type materials used to cover the solid waste dump would appear to be an integral part of the disposal process of the industrial waste. The solid waste dump in the wetland would appear to be in EPA jurisdiction under the provisions of Section 301, 309, 401 and/or 402 of the Clean Water Act.

Enclosed is the information we have received from SMC, a copy of Mr. Blake's report of the meeting, and photos of the site. Please advise this office if the solid waste discharge is considered authorized by EPA and your opinion of the necessity of a 404 permit authorization for the activity. Colleen Crook of Ohio EPA in a phone conversation with Mr. Blake indicated that slag is exempt from Ohio's solid waste regulations by Ohio Administrative Code 3745-27-01 Item "U".

-2-

We will cooperate with EPA to resolve this matter to satisfy enviromental concerns and Federal Law. If you have questions concerning the above, please contact James L. Blake at 216-364-6177 or Michael D. Ghean at 304-529-5210.

Sincerely,



Gary Z. Watson
Chief, Regulatory Functions
Branch

Enclosure



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
230 SOUTH DEARBORN ST.
CHICAGO, ILLINOIS 60604

REPLY TO THE ATTENTION OF:
SWD-TUB-9

JUN 16 1989

Stuart F. Bruny, Chief
Division of Public Drinking Water
Ohio Environmental Protection Agency
P.O. Box 1049
1800 Water Mark Drive
Columbus, Ohio 43266-0149

Dear Mr. Bruny:

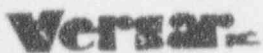
Enclosed is information regarding Shieldalloy Metallurgical Corporation, a former metal processing facility located in Cambridge, Ohio. It has been determined that the site discharged chromium-rich and low-level radioactive waste into a nearby wetland. Since the site is located a few miles upstream of the Cambridge Public Water Supply (PWS), it represents a potential drinking water threat. As you know, we have been in contact with Steve Skinner of your staff, who has informed us that no problems have been detected in the PWS to date. In addition, you will notice that the site has been referred to the U.S. Environmental Protection Agency Waste Management Division for possible Superfund action. If you have any questions regarding this site, you may contact Shari Bianchin of my staff at (312) 886-9537.

Sincerely yours,

Daniel Wilson, Chief
Drinking Water Section

Enclosure

cc: Steve Skinner, Unit Supervisor
Southeast District Office
Ohio Environmental Protection Agency



1.0 NEWMONT MINING: FOOTE MINERAL COMPANY, CAMBRIDGE PLANT

1.1 Summary of Assessment

1.1.1 Introduction

The Foote Mineral Company, Cambridge Plant, produces an estimated 6,000 tons of ferrovanadium alloys per year for use in the steel industry, and smaller amounts of vanadium chemicals. The facility currently employs 92 persons and is located between the towns of Cambridge and Byesville, Ohio.

Two slag and baghouse dust landfills are located on what was once wetlands on site and cover a total of about 25 acres. One of the landfills is currently used for disposal of slag and baghouse dust. Two EP toxicity tests performed on various baghouse dust samples showed total chromium above the limits for definition as hazardous waste.

A survey of the Cambridge Plant was conducted on April 16, 1985, and included interviews with plant personnel, a review of available permit and environmental management documents, a site inspection, and (at a later date) contacts with appropriate regulatory agency personnel.

1.1.2 Risk Assessment Rating

The probability of environmental impairment liability resulting from the Foote Mineral, Cambridge, Ohio Plant is medium to high (above average) when compared to similar operations. The greatest potential for environmental impairment on the Foote Mineral site are related to: (1) groundwater quality, due to the presence of on-site landfills, open raw materials stockpiles, an underground and two above ground fuel storage tanks, and the practice of dumping of waste solvents and oils on the ground on site. (The groundwater monitoring study performed at the site is inconclusive regarding leachate impacts on groundwater.), (2) surface water contamination due to leachate seepage from the landfills and product stockpiles, and the unpermitted direct discharge of untreated cooling water blowdown, and (3) air quality, due to fugitive dusts originating from the open slag dump, the open baghouse dust dump, the

Versar

REVIEW DRAFT - NOT FOR RELEASE

open raw materials stockpiles and uncharacterized emissions from a "slag laundering" operation.

There are currently no pending environmental claims or regulatory penalties; however, there are some potential regulatory problems involving licensing of the landfill, permitting the landfilling of wetlands, permitting air emissions from the slag laundering operation, and permitting direct discharge of uncharacterized and untreated cooling water blowdown containing algicides, biocides, and chromate, in addition to the contamination potentials mentioned above.

The factors considered in the above average risk assessment given to this facility are as follows:

Negative Factors

- The facility provided no information on the handling of uranium-bearing ores and the disposition of waste products from uranium-bearing ores used at the facility is undetermined. Regulatory personnel contacted state that uranium-bearing ores have been used at the facility, but no inspections have been made to determine disposal methods.
- Several potential sources of groundwater quality impairment exist on site, including two open waste slag and baghouse dust landfills, open raw materials stockpiles, an underground and two above ground fuel storage tanks, and the practice of dumping waste solvents and oils on the ground on site.
- The groundwater monitoring study performed at the site is inconclusive regarding contaminant impacts on groundwater quality.
- Baghouse dust disposal at the active on-site landfill was analyzed and found to be above EP toxicity limits for total chromium in two of the samples. The dust is not handled according to RCRA regulations for disposal of hazardous waste.
- The baghouse dust and slag contain other toxic metals at lower concentrations as shown by analyses.
- The landfills are located in flood plains and close proximity to surface water.
- The Facility does not have a dredge-fill permit from the U.S. Army Corps of Engineers for constructing the landfills on wetlands.



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20548

NOV 26 1993

Mr. Sherwood Bauman, Chairman
Save the Wills Creek Water
Resources Committee
6354 Cowgill Lane
Cumberland, Ohio 43732

Dear Mr. Bauman:

I am responding to the information package your committee prepared and forwarded to your elected officials. The Nuclear Regulatory Commission shares your concern for protecting public health and the environment in the decommissioning of Shieldalloy Metallurgical Corporation's (SMC's) site in Cambridge, Ohio.

The decommissioning issues at this site are complicated from a technical, environmental, and regulatory standpoint. Decommissioning of this site must address the ultimate disposition of the large volume of radioactively contaminated slag presently stored at this site and any associated impact this decision may have on the public health and the environment. Decommissioning of this site is also complicated because the regulatory jurisdiction for site issues is shared among several different State and Federal agencies, including: Ohio Environmental Protection Agency (OEPA); Ohio Department of Health (ODOH); U.S. Environmental Protection Agency (EPA); and NRC. As a further complication, SMC recently filed for Chapter 11 protection under the U.S. Bankruptcy code.

In spite of these complications, areas of the site with elevated levels of radiological contamination have already been remediated such that the current areas of radiological contamination are confined to the East and West Slag Piles. As you know, SMC completed a conceptual decommissioning plan for the site which evaluates a number of alternatives for remediating the East and West Slag Piles. The OEPA, ODOH, and NRC reviewed this document and forwarded comments to SMC earlier this year. NRC also completed a routine inspection of this facility last month to ensure that licensed material continues to be stored in compliance with NRC regulations.

NRC is planning to solicit public input and prepare an Environmental Impact Statement (EIS) considering a range of remediation alternatives before reaching a decision regarding the decommissioning of this site. We expect to conduct a public scoping meeting in the vicinity of the site in mid-December 1993. The intent of this scoping process is to solicit public input on the appropriate range of alternatives and impacts that need to be addressed in the EIS. It is our expectation that the EIS will provide a mechanism for evaluating concerns raised by your committee. The final EIS would serve as the basis for NRC's approval of an acceptable decommissioning alternative.

Enclosure 2

9317080095 2ff.

Mr. Sherwood Bauman

- 2 -

I hope this letter responds to your concerns related to the decommissioning of SMC's Cambridge, Ohio site. If you have additional questions, please do not hesitate to contact Chad J. Glenn, of my staff, at (301) 504-2546.

Sincerely,

Original signed by
Robert M. Bernero

Robert M. Bernero, Director
Office of Nuclear Material Safety
and Safeguards

CONGRESSIONAL CORRESPONDENCE SYSTEM
DOCUMENT PREPARATION CHECKLIST

This checklist is to be submitted with each document (or group of Qs/As) sent for filing into the CCS.

1. BRIEF DESCRIPTION OF DOCUMENT(S) Let to Sen Glenn
2. TYPE OF DOCUMENT Correspondence Hearings (Qs/As)
3. DOCUMENT CONTROL Sensitive (NRC Only) Non-sensitive
4. CONGRESSIONAL COMMITTEE and SUBCOMMITTEES (if applicable)

Congressional Committee

Subcommittee
5. SUBJECT CODES
(a) _____
(b) _____
(c) _____
6. SOURCE OF DOCUMENTS
(a) _____ 5520 (document name _____)
(b) Scan- (c) _____ Attachments
(d) _____ Rekey (e) _____ Other _____
7. SYSTEM LOG DATES
(a) 4/15/81 Date OCA sent document to CCS
(b) _____ Date CCS receives document
(c) _____ Date returned to OCA for additional information
(d) _____ Date resubmitted by OCA to CCS
(e) _____ Date entered into CCS by _____
(f) _____ Date OCA notified that document is in CCS
8. COMMENTS 150051