

NOV 01 1982

40-8610

The Honorable John A. Stuert, Jr.
Mayor of Maywood
Maywood, New Jersey 07607

Dear Mayor Stuert:

This is in response to your mailgrams of October 20, 1982, to Commissioner Ahearne and myself regarding the radioactive thorium waste at Maywood, New Jersey.

The Stepan Chemical Company has a license issued by the Nuclear Regulatory Commission which authorizes possession of thorium waste located on Stepan property in Maywood, New Jersey. The NRC continues to regulate Stepan's activities with regard to the thorium on its property as well as Stepan's handling of the thorium waste located on the private land west of Route 17 in Rochelle Park, New Jersey.

Although, pursuant to the Atomic Energy Act of 1954, the NRC has regulatory authority over thorium usage, and associated responsibility to assure that there is adequate protection of the public health and safety and the environment, it does not have authority to undertake, on its own, specific cleanup activities. Further, the NRC does not have authority to direct Stepan to perform cleanup activities at the residences since the thorium waste at those locations was deposited there before the Atomic Energy Act was enacted.

With respect to the residential properties to which you referred, our office earlier concluded from the studies performed by Oak Ridge Associated Universities that the radiation and contamination levels at those residences did not constitute a health or safety hazard to the occupants requiring immediate remedial action. However, in the longer term, consideration should be given to reducing the radiation levels in the residences. We are aware that the State of New Jersey has submitted an application to the U. S. Environmental Protection Agency for consideration for cleanup, under Superfund, of the properties not presently owned by the Stepan Chemical Company. Based on our inquiries, we understand that the EPA is actively considering this application.

I regret that we cannot undertake to do more about the private residences. Our office will continue to assist you in any way which does not exceed the limits of our authority.

Sincerely,

original signed by

Ronald C. Haynes
Regional Administrator

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