



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

John W. Sullivan  
33 Chartley Brook Lane  
Attleboro, Massachusetts 02703

Dear Mr. Sullivan:

Your letter to David C. Williams, Inspector General, U.S. Nuclear Regulatory Commission (NRC), dated December 6, 1990, requested that his office conduct an investigation concerning NRC regulation of the Shpack Landfill near Attleboro, Massachusetts. The NRC Office of the Inspector General (OIG) examined NRC's performance with respect to the concerns you raised in an OIG inspection. The conclusions of this OIG inspection were documented in a memorandum dated April 5, 1991, from Leo J. Norton, Assistant Inspector General for Investigations, NRC, to James M. Taylor, Executive Director for Operations, NRC. A copy of this memorandum is enclosed for your review.

We appreciate your interest and concern regarding the Shpack Landfill and assure you that Federal regulatory attention is being provided to that site even though it is not being regulated by NRC. Due to the presence of enriched uranium the site is included in a program being conducted by the U.S. Department of Energy (DOE) which is known as the "Formerly Utilized Sites Remedial Action Program (FUSRAP)." Under this program, DOE has undertaken the responsibility for providing appropriate site remedial action with respect to the enriched uranium. For further information about DOE's FUSRAP program you may contact Mr. James Wagoner at DOE's Germantown, MD office at (301) 353-8147.

Also, the U.S. Environmental Protection Agency (EPA) has placed the Shpack Landfill on its National Priorities List for action under the Comprehensive Environmental Response, Compensation, and Liabilities Act. The EPA has included the site in this program (also known as "Superfund") due to the presence at the site of chemically hazardous and naturally radioactive materials for which DOE has no responsibility and the NRC has no specific authority to regulate. For further information you may contact EPA on their "Hotline" at 800-424-9346.

If you should wish to discuss this matter further with us, you may contact Mr. Jerome Roth of the NRC's Region I office in King of Prussia, PA, at (215) 337-5205.

Sincerely,

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

Enclosure: As stated

cc: James Wagoner, U.S. DOE  
Leo J. Norton, NRC/OIG

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