



459

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

RELATED CORRESPONDENCE

DOCKETED
USNRC

April 5, 1985

'85 APR -9 A9:13

Richard A. Meserve, Esq.
Covington and Burling
1201 Pennsylvania Avenue, N.W.
P.O. Box 7566
Washington, D.C. 20044

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

DOCKET NUMBER 40-2061 SC
PROD. & UTIL. FAC.....

In the Matter of
KERR-MCGEE CHEMICAL CORPORATION
(Kress Creek Decontamination)
Docket No. 40-2061; ASLBP No. 84-502-01-SC

Dear Mr. Meserve:

It has come to the Staff's attention that there are several typographical errors in the "NRC Staff Answers To Kerr-McGee Chemical Corporation's First Request For Answers By The Staff To Interrogatories As To Admitted Contentions." The following corrections should be made:

- Page 6: The responders to Interrogatory 8 should be listed as "(Nixon, Berger)."
- Page 7: Page 7 is presently marked as page 9; however, the response sequence and order of the pages is correct.
- Page 10: The sixth line of the Response to Interrogatory 14 should read "10 C.F.R. § 40.4(h)" instead of "10 C.F.R. § 40.4(b)."
- Page 23: The fourth line should read "injury as the result of the contamination of the Creek and River."
- Page 24: In the Response to Interrogatory 23, Item 2, line one should read "2. Letter dated Feb. 9, 1982 from Sandra"

The Staff has also enclosed executed copies of affidavits of Messrs. Berger, Schumacher, and Januska, the Professional Qualifications statements of Messrs. Schumacher and Januska, and a corrected affidavit of Mr. Nixon.

8504100253 850405
PDR ADOCK 04002061
C PDR

D507

The Staff's response to the Document Production Request will be sent under separate cover.

Sincerely,

Stephen H. Lewis

Stephen H. Lewis
Deputy Assistant Chief Hearing Counsel

Enclosures: As stated

cc: John H. Frye, III, Chairman
Dr. Peter A. Morris
William J. Barzano, Jr., Esq.
Neil T. Proto, Esq.
Steven Seiple, Esq.
Atomic Safety and Licensing
Appeal Board Panel

Dr. James H. Carpenter
Anne Rapkin, Esq.
Mead Hedglon, Esq.
Michael Lublinski, Esq.
Thomas W. Fawell, Esq.
Docketing and Service Section
Atomic Safety and Licensing
Board Panel

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of
KERR-MCGEE CHEMICAL CORPORATION
(Kress Creek Decontamination)

} Docket No. 40-2061
} Source Material License
} No. STA 583
} ASLBP No. 84-5D2-01 SC

AFFIDAVIT OF JAMES D. BERGER

I, James D. Berger, being duly sworn, state as follows:

1. I am employed by Oak Ridge Associated Universities, Inc. as the Manager of the Radiological Site Assessment Program.
2. I am duly authorized to answer Interrogatories 8, 15 and 16.

I hereby certify that the answers are true and correct to the best of my knowledge.


James D. Berger
James D. Berger

Subscribed and sworn to before
me this 4th day of April, 1985

Ann Hicks Patton
Notary Public

ANN HICKS PATTON, NOTARY
TENNESSEE, ANDERSON COUNTY

My commission expires: My Commission Expires 2/18/86

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
KERR-MCGEE CHEMICAL CORPORATION)	Docket No. 40-2061
(Kress Creek Decontamination))	Source Material License
)	No. STA 583
)	
)	ASLBP No. 84-502-01 SC

AFFIDAVIT OF MARTIN C. SCHUMACHER

I, Martin C. Schumacher, being duly sworn, state as follows:

1. I am employed by the U.S. Nuclear Regulatory Commission as Chief of the Independent Measurement and Environmental Protection Section, Region III.

2. I am duly authorized to answer Interrogatories 1, 3, 4, 13, 15-18 and 21.

I hereby certify that the answers are true and correct to the best of my knowledge.

Martin C. Schumacher
Martin C. Schumacher

Subscribed and sworn to before
me this 3rd day of April, 1985

Marcia J. Smith
Notary Public

My commission expires: 2/8/86

PROFESSIONAL QUALIFICATIONS

Martin C. Schumacher

I am Chief of the Independent Measurements and Environmental Protection Section in the Glen Ellyn, Illinois office of the United States Nuclear Regulatory Commission. Since assuming this position in 1981, my responsibilities have included supervision of the inspection program at the Kerr McGee West Chicago facility. I have visited the West Chicago facility several times during inspections and the Kress Creek area during survey work performed by the Oak Ridge Associated Universities for the NRC. I am generally familiar with radiological conditions at the West Chicago facility and along Kress Creek and with the recent inspection history at the site.

Before this assignment, I was a Senior Radiation Specialist with the Nuclear Regulatory Commission with responsibility for performing radiological inspections at nuclear power plants. I joined the NRC in 1973.

I have a Bachelor of Science degree in Physics from Seattle University (1956) and was an AEC Radiological Physics fellow at the University of Washington (1957). I was certified by the American Board of Health Physics in 1968 and recertified in 1982.

From 1958 to 1961 I was employed as an Instructor in the Physics Department of Seattle University with responsibility for teaching courses in the undergraduate physics curriculum.

In 1961 I joined the International Institute of Nuclear Science and Engineering at Argonne National Laboratory. There I had responsibility for teaching courses in Health Physics to students at the Institute.

From 1963 until September 1971 I was employed by the Industrial Hygiene and Safety Division of the Argonne National Laboratory with responsibility for management of the Radiation Safety program in the Biological and Medical Research Division (1963-1970), the Solid State Science Division (1968-1970) and the Chemistry Division (1970-1971).

I also lectured on Health Physics to participants in National Science Foundation sponsored radiobiology institutes held at Argonne (1966 to 1969) and was responsible for the summer training of AEC Health Physics Fellows at Argonne (1969).

From 1971 to 1973 I worked as a Health Physicist in the Environmental Statement Project at the Argonne National Laboratory. In this position, I was responsible for the preparation of the Radiological Impact sections of Environmental Statements for power reactors.

I have six publications in the field of Health Physics dealing with education and training, with neutron measurements at a research reactor, and with power reactor effluents.

I am a member of the Health Physics Society, the Midwest Chapter of the Health Physics Society, the American Association of Physics Teachers, and Sigma Xi.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
KERR-MCGEE CHEMICAL CORPORATION) Docket No. 40-2061
(Kress Creek Decontamination)) Source Material License
) No. STA 583
) ASLBP No. 84-502-01 SC

AFFIDAVIT OF ALBERT G. JANUSKA

I, Albert G. Januska, being duly sworn, state as follows:

1. I am employed by the U.S. Nuclear Regulatory Commission as a Senior Radiation Specialist, Independent Measurement and Environmental Protection Section, Region III.

2. I am duly authorized to answer Interrogatories 1, 3, 4, 13, 15-18 and 21.

I hereby certify that the answers are true and correct to the best of my knowledge.

Albert G. Januska
Albert G. Januska

Subscribed and sworn to before
me this 3rd day of April, 1985

Marcia J. Smith
Notary Public

My commission expires: 2/8/86

PROFESSIONAL QUALIFICATIONS

Albert G. Januska

I am currently a Senior Radiation Specialist in the Independent Measurements and Environmental Protection Section of the Division of Radiation Safety and Safeguards in the United States Nuclear Regulatory Commission, Region III. Since October 1983, my responsibilities have included radiological safety inspection of the Kerr McGee West Chicago facility. I am familiar with the facility onsite health physics and environmental monitoring programs. My involvement with Kress Creek has been limited to review of effluent discharges, examination of sampling in the West Chicago storm sewer and review of Region III files pursuant to this hearing.

I joined the Nuclear Regulatory Commission in 1974 and served as a Radiation Specialist until 1983. My responsibilities included performance of environmental monitoring, emergency planning and confirmatory measurements inspections at NRC licensed facilities. In this capacity I was responsible for establishing the Region III mobile laboratory for confirmatory measurements.

I was a Staff Health Physicist at Argonne National Laboratory (ANL) from 1958 through 1974 responsible for Radiation Safety aspects of Zero Power Reactors (Uranium and Plutonium fueled), Plutonium Fabrication Facility, Metallurgy Division and other varied operations. I was coauthor of three Argonne National Laboratory Publications.

I was an Assistant Radiation Safety Area Representative at ANL from October 1956 through March 1958 during which time I received on the job and formal training for duties assumed in 1958.

I received a B. S. in Physics from DePaul University in 1954 and served in the U. S. Army from 1954-1956.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

KERR-MCGEE CHEMICAL CORPORATION
(Kress Creek Decontamination)

)
) Docket No. 40-2061
)
) Source Material License
) No. STA 583
)
) ASLBP No. 84-502-01 SC

AFFIDAVIT OF WILLIAM A. NIXON

I, William A. Nixon, being duly sworn, state as follows:

1. I am employed by the U.S. Nuclear Regulatory Commission as a Senior Chemical Engineer, Uranium Fuel Licensing Branch.

2. I am duly authorized to answer Interrogatories 1-8, 10-14, 17, 19, and 21-23.

I hereby certify that the answers are true and correct to the best of my knowledge.

William A. Nixon

William A. Nixon

Subscribed and sworn to before
me this 3rd day of April, 1985

[Signature]

Notary Public

My commission expires: 7/1/86

