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Title: Decommissioning Plan for the Shieldalloy
Metallurgical Corporation Facility in
Newfield, New Jersey

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1 UNITED STATES OF AMERICA

2 NUCLEAR REGULATORY COMMISSION

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4 PUBLIC INFORMATION SESSION ON THE SAFETY REVIEW OF

5 THE

6 DECOMMISSIONING PLAN FOR THE SHIELDALLOY

7 METALLURGICAL CORPORATION FACILITY IN

8 NEWFIELD, NEW JERSEY

9 + + + + +

10 TUESDAY, DECEMBER 5, 2006

11 + + + + +

12 The meeting came to order at 7:00 p.m. in the
13 cafeteria of the Edgerton Memorial School, 212 Catawba
14 Ave, Newfield, New Jersey, Lance Rakovan,
15 Communications Assistant, presiding.

16 PRESENT:

17 Lance Rakovan Communications Assistant, NRC

18 Larry Camper Director, DWMEP, NRC

19 Robert L. Johnson Senior Project Manager, NRC

20 Ken Kalman Project Manager, NRC

21 Keith McConnell Deputy Division director,

22 DWMEP, NRC

23 Rebecca Tadesse Branch Chief, Material

24 Decommissioning, NRC

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C-O-N-T-E-N-T-S

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P-R-O-C-E-E-D-I-N-G-S

7:05 p.m.

1
2
3 MR. RAKOVAN: Good evening. I'd like to
4 welcome you all to the meeting tonight. My name is
5 Lance Rakovan. I am a communications assistant at the
6 US Nuclear Regulatory Commission, or NRC as we'll be
7 referring to it tonight. I'd like to welcome you all
8 to the meeting. It's a pleasure to serve as your
9 facilitator tonight. My job tonight will be to run
10 the meeting, make sure everyone has a chance to
11 comment, make sure that everyone who has a question
12 has a chance to have a question or to have their
13 question addressed and basically just keep things
14 moving and orderly.

15 The purpose of the meeting tonight is to
16 provide you with information about NRC decommissioning
17 review process specifically involving the Shieldalloy
18 site. Just to give you an idea of how the meeting is
19 going to be run, it's going to have essentially two
20 parts. The first part we have a few presentations
21 that NRC employees are going to share some information
22 with you, specifically on the NRC decommissioning
23 process, restrictive use decommission and the status
24 of Shieldalloy's Decommissioning Plan.

25 We're asking that you hold your questions

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1 to the end of all three presentations and then we can
2 just open up the session for questions after that.

3 Considering the number of people that are
4 here tonight, we're going to ask that you keep your
5 questions concise. I may have to bounce around a
6 little bit just to make sure that everyone who has a
7 question has a chance to ask. So if you have several
8 questions, I may ask that you only stick to one or two
9 and I might go to someone else just again, so that
10 everyone has a chance to ask a question or two, given
11 the amount of people that are here.

12 When you do have a question, if you would,
13 signal me somehow. I have a wireless microphone that
14 I can bring over to you. Our meeting is being
15 transcribed tonight so it really helps if we could
16 keep just one person talking and if they use a
17 microphone so that we can make sure that we get a good
18 transcription of tonight's meeting. If you could, at
19 least the first time that you make a comment or ask a
20 question, if you could identify yourself. If you're
21 with any group, if you could say that as well, again,
22 that way we have it all in the transcription and we
23 can go back when the meeting is over and when we get
24 the transcription to us and make sure that we fully
25 understood your comments.

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1 Just a few ground rules; as I said, it
2 really helps if only one person speaks at a time.
3 Please turn off your cell phones or beepers. I think
4 we've all been in situations where those have gone off
5 and kind of derailed things or disrupt things. If you
6 saw when you came in on the first table there were
7 some meeting feedback forms. After the meeting is
8 done if you could fill those out for us, we would
9 really appreciate that. We will take your comments
10 into account on how we plan and execute future public
11 meetings.

12 You can just drop those in the mail. They
13 don't need postage or you can give them to any NRC
14 employee tonight. We're the ones with the badges on.
15 I'd like to introduce your speakers tonight before I
16 turn things over to them. Rebecca Tadesse has been
17 with the NRC for approximately eight years. She is
18 the Branch Chief for Materials Decommissioning Branch
19 under the Decommissioning Directorate. She has a
20 Bachelors in Health Physics and a Masters in
21 Environmental Science and Policy. Prior to coming to
22 the NRC, she also worked with Commonwealth Edison,
23 General Atomics and the Food and Drug Administration.

24 Robert Johnson has been with the NRC for
25 around 26 years. He's a Senior Project Manager at the

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1 NRC and he is responsible for the guidance document
2 for restricted use decommissioning. He has a
3 Bachelor's and Master's in Geology and he spent
4 approximately five years in private waste management
5 prior to coming to the NRC.

6 Our last speaker will be Ken Kalman. Ken
7 has been with the NRC approximately 20 years. He is
8 the project manager for the decommissioning of the
9 Shieldalloy site. He has a Bachelor's in geology and
10 a Master's in Science Writing and Communication
11 Research. Prior to coming to the NRC, he spent time
12 as an environmental specialist with the Department of
13 the Interior. Two other gentlemen that I'd like to
14 make note of are Larry Camper. Larry is the Director
15 of the Division of Waste Management and Environmental
16 Protection at the NRC. And Keith McConnell. Keith is
17 the Deputy Director of the Waste Management and
18 Environmental Protection Division of the NRC.

19 One thing that I'd like to let you know
20 before I turn things over to Keith is that Larry and
21 Keith and a small group of NRC met with Nancy
22 Wittenberg, that Assistant Commissioner for
23 Environmental Regulations for the State of New Jersey
24 earlier today and we also did a site visit at the
25 Shieldalloy site prior to the meeting. With that, I'd

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1 like to turn things over to Keith.

2 MR. McCONNELL: Thank you, Lance. And on
3 behalf of the U.S. Nuclear Regulatory Commission I too
4 would like to welcome you here tonight for this
5 meeting on the Shieldalloy Metallurgical Corporation
6 Decommissioning Plan for the nuclear site. For those
7 of you who aren't intimately familiar with the NRC, we
8 are an independent federal agency that reports
9 directly to Congress. Our mandate is to protect
10 public health and safety and the environment in the
11 civilian use of nuclear materials.

12 We fulfill that mandate in a number of
13 ways, including the licensing of the use of nuclear
14 materials and the decommissioning of facilities that
15 use those materials. The reason we're here tonight is
16 because one of our licensees, Shieldalloy, has
17 proposed to decommission its Newfield site. In that
18 proposal, the vast majority of the site would be
19 released for unrestricted use. A smaller portion of
20 approximately eight acres would be proposed as
21 restricted use. Contaminated material would be
22 collected and consolidated, put into a pile where it
23 would be graded and sloped and covered with an
24 engineered barrier.

25 Long term maintenance and monitoring of

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1 this facility would be performed by the licensee under
2 the conditions that NRC would specify. We're here
3 tonight to describe our review process. We're very
4 early in our review process at this point but we're
5 also here to hear your views on the Decommissioning
6 Plan and the proposal in that Decommissioning Plan.
7 I would note that this is -- our detailed technical
8 review is only one part of our process. We also
9 perform an Environmental Impact Statement or develop
10 an Environmental Impact Statement and in fact, next
11 Tuesday, December 12th, there will be another meeting
12 in this facility sponsored by the NRC to scope that
13 Environmental Impact Statement and we encourage you to
14 participate in that meeting also.

15 Tonight's meeting is largely for your
16 information. We'll describe our process in terms of
17 how we intend to approach our review and what we'll
18 look at in that review. We'll also describe how you
19 can comment on the Shieldalloy Decommissioning Plant.
20 I would note that we are limited in the sense that we
21 have just begun our review, our detailed technical
22 review, and therefore, we can make no judgments about
23 the acceptability of the proposal or the final outcome
24 of our review at this point.

25 It's at the very initial stages of our

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1 review which will take on the order of two years. So
2 with that, we'll try to keep -- the plan for tonight
3 is to have three presentations to give you background
4 both on -- or on the process, on the restricted use
5 option and on details of the site. We'll try to keep
6 our presentations short so that we'll have plenty of
7 time for you all to comment. So with that, I'll turn
8 it back over the Lance.

9 MR. RAKOVAN: Thanks, Keith, Rebecca are
10 you ready?

11 MS. TADESSE: As I said, I'm Rebecca
12 Tadesse. I'm the Branch Chief of the Decommissioning
13 Branch. First of all, I'd like to say thank you for
14 coming, taking you away from --

15 I'm Rebecca Tadesse. I'm the Branch Chief
16 of the Decommissioning Branch. Thank you very much
17 for coming out tonight.

18 MR. RAKOVAN: I think you could stand to
19 be even a little louder, Rebecca. Can you get it
20 closer?

21 MS. TADESSE: Okay, can you hear me now?
22 Is it better? Okay. I'd like to say thank you for
23 coming out tonight. I know it's a cold night and
24 taking you away from your family to come here to
25 listen to us hopefully would give you enough

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1 information so that you would understand our process.

2 Next slide, please.

3 The purpose of our meeting tonight is to
4 explain our decommissioning process and how you can
5 participate in the process. When I'm finished, Robert
6 Johnson will provide a brief summary of the restricted
7 Decommissioning Plan, how it works and Ken will be
8 doing a presentation on Shieldalloy as to the status
9 of the facility. At the end of the presentation, we'll
10 have a question and answer session. Next slide,
11 please.

12 The most important thing to take away from
13 this meeting is that we have not made a decision on
14 the Decommissioning Plan. We just started our
15 technical review. There's going to be a number of
16 opportunities where members of the public could input
17 into the Decommissioning Plan. We are going to have
18 comments. Written comments will (be taken until)
19 March 16th and Ken Kalman will tell you exactly where
20 to send your comments and your comments will be
21 considered in our Safety Evaluation Report in a
22 section where we'll have comment resolution.

23 So your input is important to us. We look
24 at the Decommissioning Plan as -- we look at it for
25 whether or not it meets the public health and safety

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1 and it meets our regulations. And you know, as of
2 today, I know we've done an acceptance review but we
3 have not made any determination on the technical
4 adequacy of the plan. Next slide.

5 When a licensee shuts down their operation
6 basically, they are required by regulation that they
7 need to submit a Decommissioning Plan. Once a
8 Decommissioning Plan is submitted, we have 90 days to
9 do a technical review to identify whether or not the
10 various information that is needed in our
11 Decommissioning Plan is, indeed, in that chapter. And
12 those things we look at whether or not they've done --
13 they have information about the site, the
14 characterizations, and things like that. Once we have
15 accepted the DP for technical review what we do is
16 that we notice a federal -- we put a Federal Register
17 notice saying that we have received the DP and we will
18 have an opportunity for a public hearing if requested
19 and that we'll take comments on the Decommissioning
20 Plan from members of the public.

21 And at that point, after we've done that,
22 we will start reviewing our technical review. And as
23 said before, it takes about a year to two years, our
24 technical review, because the technical review takes
25 a year and then the EIS process, the Environmental

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1 Impact Statement process takes two years, so the
2 Decommissioning Plan does not get approved until for
3 this site for a couple of years. And during our
4 review, most of the time we find a lot of issues that
5 needs to be resolved, so what we do is we do a Request
6 for Additional Information back to the licensee and
7 that's a public document that they have to satisfy.
8 They come back to us with the answers to those
9 technical questions that we might have. That can go,
10 you know, one round or two rounds depending on the
11 level of detail that we need. And we have a number of
12 publicly noticed meetings where we discuss those
13 technical deficiencies. So those are noticed as well
14 in our website when we're having a technical meeting
15 and members of the public can observe it and at the
16 end of the session they could have a presentation --
17 they could make comments into that. Once we have
18 satisfied both the environmental and the safety
19 evaluation, then we either approve or disapprove the
20 Decommissioning Plan.

21 What I would like to do tonight is go
22 through what are the things that we look at in the
23 Decommissioning Plan. For example, when you look at
24 the radiological status, we look at the
25 characterization of the site, have they characterized

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1 it adequately, have they looked at the contamination
2 that's in the groundwater, have they looked at the
3 soil contamination, have they looked at the radio-
4 nuclides, the chemicals? What are the things that are
5 at this site and have they been characterized fully?

6 We look at how are they planning to
7 decommission the site? Are they going to be
8 decommissioning a restricted release or unrestricted
9 release? And within that, have they done the dose
10 assessment? Are they using the right scenario? Have
11 they looked at worker safety, have they looked at
12 environmental safety? All those things is look at, at
13 the technical review stage which is about -- you know,
14 that's why it takes a year and the way we've divided
15 the technical review is that we have a team of, I
16 think, 10 to 12 people. We have hydrologists,
17 geologists, civil engineers, environmental engineers,
18 health physicists and other engineering background
19 people, lawyers, finance. They look at the plan as a
20 whole and then combine all of their respective
21 questions that they have and then we sent it to the
22 licensee.

23 So those are the type of things we look
24 at. For example, in terms of plant protection of the
25 worker, you know, when they're moving the slags and

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1 things like that, are they protected? You know, are
2 there any environmental issues that we need to be
3 concerned about. Are they monitoring properly? Do
4 they -- you know, do they have the mechanism to look
5 at doses. You know, do they have TLDs and things like
6 that. So there's a lot of detailed information that
7 goes into our analysis and the dose assessments. Are
8 they looking at the groundwater? Those are the type
9 of things we look at.

10 And when they finish, they have to do a
11 final status survey. In that final status survey,
12 what we look at is the licensee basically says, "We're
13 complete. We want to terminate our license for the
14 unrestricted part and what they have to perform is
15 they have to demonstrate that based on the plan that
16 has been approved by NRC that they've met the
17 criterias. What that means is that they have to
18 survey the area. They have to show us what
19 instruments they used to survey, what's -- how they
20 graded the area, what are the mechanism statistical
21 analysis that they've done for the site. So all those
22 information has to be fed into the final status survey
23 plan that we approve at the beginning and we look at,
24 at the end of the decommissioning where have they met
25 everything that they've been committed to do in the

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1 Decommissioning Plan. Next slide, please.

2 And also we look at the dose -- the cost
3 estimate for the decommissioning, you know, what
4 they're planning, is it adequate? Do they have enough
5 financial mechanism to fill what the plan proposes? So
6 the financial group if the people look at their
7 financial assurance, you know, what are the type of
8 cost estimates that they've done. Is it feasible, you
9 know, could they complete the work?

10 And once that has been satisfied, we look at the
11 decommissioning schedule in terms of once the
12 Decommissioning Plan has been approved, how long is it
13 going to take them to do it? Are they going to do it
14 in a timely manner? And then we do inspection and
15 process inspection during their decommissioning to
16 make sure that, you know, we're not coming at the end
17 telling them, "No, you have not done it correctly",
18 but we go in the process looking at what has been done
19 and if there's any issues that need to be resolved,
20 our regional inspectors look at it. They determine --
21 I think based on where the activity is at that time,
22 they look at those areas as well.

23 So decommissioning schedule is important
24 for our planning purposes and also that they're doing
25 it in a timely manner, so we make sure that we're

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1 satisfied with the decommissioning schedule. For
2 restricted release, we make sure that -- the licensee
3 is required by regulation that they have to meet with
4 the members of the public in the area and make sure
5 that they have done -- told the community what their
6 plans are and they've had enough dialogue and things
7 like that and make sure that has been in place as
8 well. One of the reasons we rejected the previous
9 Decommissioning Plan that Shieldalloy had submitted
10 was one of the reasons was that, they had not done
11 that. So we look at all those things to make sure that
12 they're in place and when we draw our analytical
13 analysis that they're all fulfilled.

14 And at that point, and when that is what
15 the safety reviewer looks at and then the EIS process,
16 they look at all the environmental impacts. And once
17 we get both documents are completed, that's where the
18 site either would be approved or disapproved in terms
19 of the Decommissioning Plan. Next slide, please.

20 The public meetings, we're planning to
21 have -- you know, this is a public meeting and then
22 the next public meeting will be next week where the
23 scoping process would be discussed and the EIS. We're
24 going to have a number of meetings with the licensee
25 where that is open to the public and that will be

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1 noticed on our website so members of the public can
2 observe and at the end they can make comments. We do
3 press releases periodically to make sure that we keep
4 you informed and we'll give you all our -- I think
5 there's a website that comments will be taken. Ken
6 Kalman will be presenting that area. And we do
7 Federal Register notice as we did earlier with we
8 accepted the DP for opportunity for a hearing.

9 So there's a number of mechanisms where
10 you could have an influence into the DP process and so
11 it's an open process and we'll make sure that we'll
12 consider your comments. As I said earlier, that we
13 will look at every comment and we'll do comment
14 resolution and our safety evaluation report at the
15 end. So we will consider that. That's an intricate
16 part of our review process.

17 With that, I'll turn it to Robert Johnson,
18 who is going to be discussing our restricted
19 decommissioning process. Thank you very much.

20 MR. RAKOVAN: Before we go to that,
21 there's a few empty seats and I know there's a lot of
22 people who are sitting in the back. So if we want to
23 take a moment to let them kind of come. If you have
24 an empty seat next to you if you want to like raise
25 your hand just to let them know. That way, in case

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1 anybody standing back there wants to try to grab a
2 seat, let's do that now in between presentations,
3 okay?

4 (Pause)

5 MR. RAKOVAN: We're also working to make
6 sure you can hear us better. Is that better? Thanks,
7 Oscar. Okay, we'll start things back off.

8 MR. JOHNSON: Good evening. I'm Robert
9 Johnson and I work in the Decommissioning Program at
10 NRC. I welcome you tonight and it's really, really
11 good to see such a turnout. It shows great interest
12 in this project.

13 MR. RAKOVAN: Please do your best to speak
14 directly into the mike. It's not very loud back here,
15 okay, Robert?

16 MR. JOHNSON: Okay. Let me know if you
17 can't hear me. If I drift a little bit, let me know,
18 please. As you know, Shieldalloy has provided a
19 proposal for decommissioning of the site. As Keith
20 mentioned, it really consists of about 60 acres of
21 unrestricted use decommissioning and then about either
22 acres of restricted use decommissioning. Now, most
23 people are unfamiliar with decommissioning and
24 particularly they're likely unfamiliar with what
25 restricted use is or for that matter, what a long-term

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1 control license is. And so I hope tonight I'd like to
2 give an overview for you so you will understand this
3 process. You will understand what Shieldalloy is
4 required to do under our regulations.

5 And also you'll have an understanding of
6 the requirements that we will use in our review of
7 what Shieldalloy has submitted in their
8 Decommissioning Plan. So this understanding will also
9 help you review the Decommissioning Plan and provide
10 comments if you'd like. Next slide, please.

11 What I don't want to do tonight is provide
12 a lecture on our regulations. That's not what you
13 came here for tonight and in the cold weather. What
14 I'd like to do is discuss a few key questions that may
15 be on your mind. Those, I'm guessing are important
16 questions that I'd like to describe tonight and in the
17 process, I'll be explaining our regulations and our
18 review of restricted use for you. So I'm going to
19 talk about what is restricted use?

20 When is a site initially eligible for
21 restricted use? How does restricted use insure
22 protection of public health and safety? And then this
23 material has long half-lives so a key question is, how
24 do you sustain protection for a long period of time
25 into the future? And then lastly, what is a long-term

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1 control license? How does it work? Next slide,
2 please.

3 Take the first question, what's restricted
4 use decommissioning? Well, in 1997 when NRC finalized
5 its decommissioning regulations, there were two
6 decommissioning options provide to any licensee.
7 First, it was unrestricted use and then restricted
8 use. Or it could be a combination of both like
9 Shieldalloy is proposing in their DP. Now, the
10 Commission, NRC, prefers decommissioning with
11 unrestricted use because that would provide the most
12 opportunity for beneficial reuse of a site, safe
13 beneficial reuse of a site. But the regulations also
14 recognize there may be some sites that might need
15 restricted use because for whatever reasons, they are
16 not able to meet the unrestricted use requirements.

17 So the point, the message here is that the
18 regulations do permit restricted use under certain
19 conditions and I'll be talking about those in the rest
20 of my slides. What is restricted use? Simply put,
21 it's some radioactive materials can remain on the site
22 and protection of that of public health and safety is
23 provided by what we call institutional controls; land
24 use restrictions.

25 Also, it's provided by engineered

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1 barriers. I'll talk about both of these types of
2 controls in my next slides. Next slide, please. When
3 is a site initially eligible for restricted use?
4 First of all, our requirements require a licensee to
5 justify restricted use or leaving material on site.
6 They're required to submit a cost benefit analysis and
7 this simply is a comparison of a cost to remove the
8 material, and compare it to the benefits of the
9 removal of that material. The cost can be handling
10 the material, in this case slag on the site. It could
11 be -- it would be transporting it to disposal site.
12 It could also be the cost of disposal itself and it
13 might also include the cost value of injuries that
14 might come from the handling and the transportation,
15 traffic accidents, possibly injuries or possibly
16 deaths. They're all accounted for in the cost benefit
17 analysis.

18 A proposal must comply with what we call
19 as low as reasonably achievable. Sometimes that's
20 called ALARA. That's a big name but really it's a
21 universal principle in the radiation protection
22 industry. We use standard methods for determining
23 what is as low as reasonably achievable. It's sort of
24 a systematic, a very quantitative process to look at
25 the cost, as I said before, both removing the material

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1 and of the benefits that are gained from it. The
2 benefits would be primarily the dose reduction to
3 people.

4 We follow NRC guidance. This is used in
5 all of our facility decisions. And that guidance is
6 consistent with the Office of Management and Budget
7 guidance for cost benefit analysis. Next slide,
8 please. But really the important thing I want to talk
9 about is how does restricted use insure protection of
10 public health and safety? Well, it does so primarily
11 by limiting the exposure to individuals to the
12 requirements in our regulations. How does it do that?
13 Well, it can -- those controls would restrict adverse
14 land uses like a residence. You would restrict and
15 limit the building of a residence. Farming on some
16 sites would be prohibited. Excavations, construction,
17 and even removal of material would be prohibited.
18 Those prohibitions are done by legal restrictions and
19 those are called institutional controls.

20 It can be done by physical restrictions as
21 well, like fences, signs or monuments. Now, also the
22 other control is to mitigate adverse natural processes
23 like erosion. This is done by engineered controls or
24 as in the Shieldalloy proposal, an engineered cap or
25 cover. That cover can shield the material and the

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1 radiation from that material and that's a way of
2 limiting the exposure to individuals. The cap can
3 also for instance, prevent erosion of that shielding
4 layer so that it stays in place and so that rainfalls
5 in the future or flooding in the future won't erode
6 the cover and erode the shielding and possibly expose
7 the material. Those are examples of engineered
8 controls. Next slide, please.

9 Well, how is this protection sustained
10 over long periods of time? Many sites, including
11 Shieldalloy sites have long-lived radio-nuclides so
12 it's a big question. How do you sustain this
13 protection. The Commission recognizes challenge when
14 it put its regulations for decommissioning into place.
15 And so for these kinds of sites, very stringent
16 regulatory requirements are in our regulations,
17 particularly for those sites with long-lived radio-
18 nuclides. We don't rely on just one type of control.
19 We rely on multiple controls. We rely on various
20 checks and various backups. So remember that, there's
21 controls required, there's checks required and there's
22 backups required. Now, I'm going to kind of give you
23 some examples of that those are.

24 This total approach, again, not relying on
25 one single thing, but this total approach we call a

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1 defense in depth approach. This is intended to keep
2 things in place over a long period of time. The first
3 thing I've already mentioned is institutional controls
4 but I'm going to explain how they keep protection in
5 place. We've already said they're legal instruments
6 and they're primarily intended to limit the use of
7 land or access to the land but how do they remain in
8 place?

9 Well, one of the ways is that our
10 regulations require what's called legally enforceable
11 institutional controls. That means that the legal
12 instrument -- if something goes wrong and the controls
13 on land use or access break down, the parties can take
14 legal action to put them back in place or to correct
15 maybe something like excavation that's already
16 started. So there's a mechanism in place to check the
17 institutional controls and correct them if they begin
18 to fail.

19 We also require what's called durable
20 institutional controls for sites particularly with
21 long-live radio-nuclides. And these durable controls
22 are ones just what the name implies. They're intended
23 to remain effective over a long period of time. And
24 examples would be state or federal ownership of the
25 land or it could be state or federal controls, so

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1 state governments or government entities are involved
2 and they are the most robust systems we have,
3 organizations that we have in our country today.

4 Now, with respect to engineered controls
5 we also require -- we also encourage robust designs to
6 remain effective for a long period of time. Now what
7 does that mean? Robust design would be one that would
8 be designed for maximum events so maximum rainfall
9 events or for some sites flooding events, the
10 engineered barrier like an erosion cover would be
11 designed for those maximum events that could be
12 expected over a thousand year time period. Now, how
13 does that help? That means that for this long period
14 of time, that you could expect maximum events, that
15 your design is accounted for.

16 It would also mean that smaller events
17 would have little or no effect on that design. So,
18 therefore, you really wouldn't have to rely on the
19 monitoring and maintenance. You wouldn't have to have
20 that in place. Next slide, please.

21 But, this slide shows you a number of
22 checks and backups that we have. The owner or the
23 licensee under a long-term control license would be
24 required to monitor the site and the engineered
25 controls if they're used. And they would be required

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1 to maintain, repair or replace if something does go
2 wrong. Now, this is sort of a backup because I
3 already mentioned that the design is so robust that it
4 shouldn't fail but we're going to monitor and maintain
5 if we need to, so in that sense, it's a backup.
6 That's done by the owner. And every five years they
7 would have to do a review of their site, of the
8 controls on the use of the site and the engineered
9 barrier, do a five-year review, and provide that
10 information to NRC.

11 But it's not just the owner that's
12 checking. We have a backup required in our
13 regulations and that's called an independent third
14 party requirement. And really what that means that
15 there is another entity that's responsible for
16 checking that the owner is maintaining the controls on
17 the site, that the owner is monitoring and maintaining
18 the engineering controls. More important, if the
19 owner defaults on what they're supposed to do, the
20 backup or the independent third party is available to
21 step in and continue the work that the owner was
22 doing. They would be using funds that are available.

23 Now, I'll talk about those funds because
24 sustaining protection is a lot about money. You need
25 to have adequate money over a long period of time to

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1 pay for the activities at a site like this. And so
2 there's a requirement in our regulations for
3 sufficient financial assurance, sufficient funding.
4 Now, what does that mean? That means that the owner,
5 in this case, Shieldalloy, would be required to put
6 aside an amount of money in an independent trust fund
7 under the control of a trustee, so it's separate from
8 their money. That trust fund is set up for the
9 purpose of sustaining the monitoring and maintenance
10 at the site.

11 The way it does that is the money in the
12 trust fund, the interest off of it or the income that
13 comes off the trust fund each year needs to be enough
14 to do the activities, you know, each year so the core
15 of the trust remains intact and it doesn't diminish.
16 You're only using the income off of that trust fund to
17 do the work each year. So that's what is required by
18 the sufficient financial assurance. Just to
19 reiterate, the owner, in this case Shieldalloy, is
20 responsible for putting that money into the trust fund
21 so they are paying for the long-term control in the
22 way I've just described.

23 Now, another part, very important part of
24 our defense in depth are the dose limits. We have two
25 dose limits. One is dose limits for when the controls

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1 are in place, when the restrictions on the land are in
2 place so that people can't live on it or so that
3 people can't work on it and that dose limit is a
4 quarter of the public dose limit. That's 25 millirem
5 and the public dose limit is 100 millirem. So a
6 quarter of it is what this dose limit is. Now, to put
7 that into perspective a little bit, what does 25
8 millirem mean? The average background in our country
9 that all of us see is around 360 millirem. Sixty of
10 that 360 millirem comes from just our medical
11 procedures and our various products that we use every
12 day.

13 Another way to put it into context is that
14 a typical airline flight will give a person three to
15 four millirem in a flight. So you have an idea of
16 what the 25 millirem means. Now, the Commission also
17 felt that long-term protection is a challenge. And
18 over 1,000 years or more, how can we be sure that the
19 controls that I just described will be in place. And
20 so they felt that there's no way we can say we can
21 prevent failure of these controls so they created
22 another backup. Okay, and this is called a dose cap
23 or a maximum limit on dose in the event that those
24 controls fail.

25 In other words, we calculate this or the

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1 licensee calculates this pretending that there are no
2 controls on the site, no institutional controls on the
3 site. And that dose limit needs to be the 100
4 millirem public dose limit that all nuclear facilities
5 for public dose limit must meet today. So in other
6 words, this is kind of an ultimate backup that's like
7 a safety net. All the things that I've just described
8 for institutional controls somehow don't work over the
9 long-term, then if they fail the public dose limit of
10 100 millirem is the worst that a person can receive.

11 Now, next slide, please. How does the
12 long-term control license, NRC's long-term control
13 license, fit into this set of requirements that I've
14 just explained? Well, the long-term control license
15 is an NRC legally enforceable and durable
16 institutional control. There's a requirement for that
17 that I just explained in our regulations. Our
18 license, in this case, would be a last resort and
19 ideally we would like other entities, you know, like
20 state ownership or state control or some other form of
21 durable institutional control to be used by a
22 licensee, but in the event that can't be arranged, NRC
23 has said they would use a long-term control license.

24 So it is a last resort but it can be
25 arranged. Now one of the questions that's often

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1 raised is that well, you have a license today and now
2 you're proposing this new license but are you just
3 continuing the license and doing nothing at the site?
4 Well, that's not the case, as I said, the licensee
5 needs to meet all the requirements in our
6 commissioning regulations as I've explained. And so
7 only then, like the dose limits, all have to be met.

8 So, like I've explained in that case, if
9 all those requirements had been met then a long-term
10 control license could be used. Now, long-term control
11 is not a new concept for NRC either. It may be a new
12 form of licensing for decommissioning of this kind of
13 site but it's going back to 1978 the law required
14 uranium mill tailings that we license, to also have
15 long-term controls and today there are over 25 sites
16 where DOE is responsible for long-term controls under
17 an NRC general license. So we're familiar with the
18 concept. This is very similar to that concept and
19 that approach.

20 We conduct very similar activities as is
21 conducted for uranium mill tailing sites. Next slide,
22 please. Well, how would the license work? The
23 license would contain conditions written into it that
24 are requirements that the licensee would have to meet.
25 They would require various restrictions on the land,

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1 like I mentioned. They would require any necessary
2 monitoring and maintenance to be done, reporting to
3 NRC, record keeping. Record keeping over a long
4 period of time is very important for the community to
5 understand what's at the site, what controls are on
6 the site and that the site is safe. It also will
7 outline the corrective actions that would need to be
8 done by the licensee should events occur.

9 For instance, if there was erosion on the
10 cover itself, gullies started to form, the corrective
11 actions would have to be reported to us and then
12 conducted and reported that they were completed by the
13 licensee. Now, what are our responsibilities? NRC
14 would be responsible for the regulatory oversight like
15 we are at other facilities. We would do inspections,
16 probably annual inspections. We would do enforcement
17 if the licensee wasn't conducting the work that's
18 required. We would do five-year license renewals and
19 really what that means is that we would look at the
20 site entirely and determine how it's performing, how
21 the licensee is performing.

22 And probably most important, again, as a
23 backup, going back to the backup again, if the
24 licensee defaults on its activities, if it can't
25 perform for whatever reason, then the NRC would first

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1 try to identify a new owner and licensee but if that's
2 not possible then the NRC would arrange for a
3 contractor to continue the work using the money from
4 the trust fund that's available. So, again, the money
5 is available to do the work. It's just who is going
6 to do the work. Primarily, the licensee but if
7 something should happen we'll arrange that the work
8 continues until a licensee can be identified for the
9 site.

10 Next slide, please. Conclusions. I'd like
11 you to remember at least three things but I think
12 you'll -- maybe you'll remember a few others as well.
13 The first thing is that stringent regulatory
14 requirements for public health and safety are in
15 place. Secondly, Shieldalloy must demonstrate in
16 their Decommissioning Plan that they can meet all
17 these requirements, and then our review that's
18 starting now will determine if Shieldalloy has met
19 these requirements.

20 I hope my overview has helped you a little
21 bit understand our regulations and maybe understand
22 our perspective on why we think this approach is
23 protective. These were the questions that I thought
24 were important, you know, for you to understand and
25 start with, but I'm sure you'll have a lot more

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1 questions and so when that time period comes I'll do
2 my best to answer your questions.

3 Finally, I have on the last page a list of
4 items that you can get more information from. There's
5 a website where our guidance on restricted use is
6 available to you and then there are some handouts in
7 the back of the room. There are conference papers
8 that summarize this approach that I talked about this
9 evening. Thank you. And I'll turn it over to Ken
10 next.

11 MR. KALMAN: Hi, I'm, Ken Kalman and I've
12 been the NRC Project Manager for Decommissioning at
13 the Shieldalloy site for about three years now.
14 During that time, I've had opportunities to speak to
15 quite a few of you in person or on the telephone and
16 I just want to say that we have heard your concerns,
17 we are listening. With that, I'd like to go to Slide
18 Number 3.

19 Okay, this evening, I'm going to cover
20 four major areas. First I'll talk a little bit about
21 the operations. Then I'll talk about the history
22 leading up to the submittal of Shieldalloy's
23 decommissioning plan to the NRC. I'll talk a little
24 bit in depth about the decommissioning proposal. I
25 suspect you all are interested in the time frames

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1 we're dealing with so I'll be addressing that and as
2 my predecessors here said, there are sources with more
3 information and there is places where you can submit
4 comments and I'll be giving you more information on
5 that. Okay, next slide, please.

6 Okay, just to get oriented, here is the
7 Shieldalloy facility and it's located on the northeast
8 corner of West and Weymouth. That portion of the
9 facility is 68 acres where there are metallurgical
10 operations and that's also where the slag pile is.
11 There is a 20-acre parcel of land sneaking off the
12 bottom left corner there. That's also owned by
13 Shieldalloy and that's an area that we have no concern
14 with. There were never any operations there. Please
15 go to the next slide.

16 This is an aerial photograph of the
17 metallurgical operations area. Towards the left side,
18 you can see the process buildings, the warehouse
19 buildings and off to the right side, you can see where
20 the slag piles are. Next slide.

21 Briefly, the history behind the operations
22 of the site, from 1955 to 1998, Shieldalloy conducted
23 metallurgical operations using an niobium ore called
24 pyrochlore. This (ore has)uranium and thorium in a
25 concentration that's large enough for NRC to regulate.

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1 So we licensed Shieldalloy to possess this material
2 back in 1963. They're allowed to have 45,000
3 kilograms of uranium and 330,000 of thorium. Next.

4 While they were in operations, they
5 generated 18,000 cubic liters of slag and 15,000 cubic
6 liters of baghouse dust. Slag is a vitrified material
7 that's a remnant of the metallurgical operations.
8 This is after they'd separated the metal from the ore,
9 they end up with slag and baghouse dust is where the
10 particulate matter -- it had one up the stacks
11 otherwise but instead they trap it in an area called
12 the baghouse. Now, in 2001 Shieldalloy notified the
13 NRC that they were ceasing operations. At that point,
14 that's when they started entering into a default
15 decommissioning stage. As I mentioned earlier, they
16 were licensed to possess certain amounts of uranium
17 and thorium and they were still well within that
18 limit.

19 While they were in operations, they had
20 plans to try to sell the slag for its uranium content,
21 but they were unable to find a buyer for that. More
22 recently they tried to find a buyer for the slag and
23 baghouse dust. The slag can be used as a fluidizer in
24 metallurgical operations and the baghouse dust can
25 also be used instead of the alum in concrete. Next.

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1 We talk about slag, this is what the slag
2 pile looks like. Here we are at the northwest corner
3 of the slag pile. Off to the bottom left there you'll
4 see a little radiological marker sign, that's about
5 six feet tall. That gives you a rough idea of the
6 scale. Next.

7 And there's that same sign. This gives
8 you a rough idea of the size of the slag. Next. We
9 also talked about the baghouse dust. The baghouse
10 dust basically is like a sandy material. What you see
11 here, though, the white, these are actually the bags
12 that the dust was contained in. Next.

13 Okay, now, what I'd like to do is talk a
14 little bit about the history behind the submittals and
15 review Shieldalloy's Decommissioning Plan. The first
16 thing I do want to mention is, you know, you've
17 probably heard people talk about acceptance review. I
18 know, you've seen articles in newspapers about
19 acceptance and I want to be really clear about this.
20 When a Decommissioning Plan is submitted to the NRC,
21 the first thing we do is review it to see if there's
22 enough material in there for us to move forward with
23 a detailed technical review. That initial review is
24 what we call the acceptance review.

25 That's where we are at with Shieldalloy

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1 right now. We've completed the acceptance review and
2 accepted the Decommissioning Plan for technical
3 review. It doesn't mean that we've accepted the
4 proposal. So I want to be very clear about that. In
5 August of 2002, they submitted one plan to us. We
6 rejected that in February of 2003. At that time, we
7 realized that Shieldalloy needed some additional
8 guidance on the long-term control license, so we
9 developed interim guidance and we provided that to
10 Shieldalloy in May of 2004. Next.

11 In October 2005, Shieldalloy submitted a
12 revised Decommissioning Plan and that was also
13 rejected in January 2006. There were four key areas
14 where we felt they hadn't provided enough information
15 for us and those had to do with dose modeling, surface
16 water hydrology and erosion protection of the slag
17 pile, a long-term control approach and institutional
18 controls and financial assurance. Next. In March
19 2006 we had an open to the public meeting with
20 Shieldalloy to discuss the deficiencies. I want to
21 note that we've had several open to the public
22 meetings with Shieldalloy and the New Jersey
23 Department of Environmental Protection and some of the
24 local stakeholders here have been able to sit in on
25 those meetings by telephone and they were able to ask

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1 questions at the end of those meetings.

2 In June 2006, Shieldalloy submitted
3 supplemental information that addressed those four
4 areas that I mentioned earlier and in October 2006 we
5 accepted the Decommissioning Plan for technical review
6 as supplemented. Next. A small mistake here; we
7 published a Federal Register notice, the date was
8 November 17th. And we have a copy of that on the back
9 table back there. What the Federal Register notice
10 did was announced that we had received the
11 Decommissioning Plan for technical review and it also
12 gave fairly detailed instructions on how to go about
13 requesting a hearing.

14 December 5th, that's today, we're having
15 this decommissioning information meeting. Next week,
16 back here at the schoolhouse we'll be having an
17 environmental impact scoping meeting. Next. Okay,
18 now, I'd like to talk a little bit about Shieldalloy's
19 proposal. As I showed you earlier, the main portion
20 of the site is that 68-acre parcel and that's the area
21 that we're concerned with. The 20-acre parcel that is
22 creeping off the map there is really not of interest.
23 While they were -- they have the process area which
24 was on the west side of the site, and that's comprised
25 of parking lots and administrative office and

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1 manufacturing buildings. The impacted buildings were
2 remediated for unrestricted use. Next slide. That
3 gives you a rough idea of what their process and
4 warehouse buildings look like. Next.

5 Then on this side of the facility, that's
6 the storage yard and that's where they have the slag,
7 baghouse dust and other materials. We've already
8 talked about the quantity of material, the 18,000
9 cubic meters of slag and 15,000 cubic meters of
10 baghouse dust and this material does contain uranium
11 and thorium and associated decay products. We have
12 inspectors go out to the site and we found that the
13 material still does meet the NRC exposure limits.

14 This is one of the devices Shieldalloy
15 uses to measure exposure limits. This is called a
16 thermoluminescent dosimeter. This one is located on
17 a fence line at the southern border of the site.
18 Shieldalloy has 16 similar stations around the site
19 but they use it to check exposure. If you go to the
20 next slide, here's an NRC inspector using his meter to
21 independently check exposure rates around that same
22 site. Next.

23 There is also some concern about
24 groundwater. For the most part the groundwater has had
25 contamination of chromium. We haven't found any

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1 uranium in any of the groundwater but this is what one
2 of the monitoring wells look like. On the left is one
3 of our NRC hydrologists. On the right is
4 Shieldalloy's radiation safety officer. Next.

5 In Shieldalloy's proposal they considered
6 several alternatives. There were license
7 continuation, offsite disposal and license
8 termination, and they also considered onsite
9 stabilization and long-term control. And after doing
10 a cost benefit analysis, the site stabilization and
11 long-term control is what they have proposed to NRC.
12 Next. Their proposal is basically to release most of
13 the site. And where the process buildings are, that
14 part of the site would all be released for
15 unrestricted use. The area on this side where the
16 storage yard is, there what they would do is they
17 would take all the slag and then basically move it all
18 together into a mound where it would be shaped and
19 covered and -- shaped and contoured and covered and
20 they would have an engineered barrier over it to
21 minimize exposure.

22 They would also conduct long-term
23 maintenance and control of the site and they would
24 also be putting up financial assurance to cover the
25 costs of all of the aforementioned activities. Next.

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1 Now, in Shieldalloy's Decommissioning Plan they looked
2 at several different scenarios for -- you know, for
3 their proposal. These included looking at what you
4 would have in the unrestricted areas and what you'd
5 have in the restricted areas. And basically what
6 they're showing is a dose in the unrestricted areas of
7 around 1 millirem per year and in the unrestricted
8 areas under various scenarios they were showing a
9 range anywhere from one to 21 millirems per year.

10 As Robert pointed out earlier, natural
11 backgrounds is about 360 (millirem per year) and I do
12 want to emphasize that these aforementioned doses,
13 those are Shieldalloy's numbers. When NRC conducts
14 it's own independent analysis, we'll be looking at
15 this and probably coming up with our own numbers.
16 Next.

17 Okay, as I have mentioned earlier, I'm
18 pretty sure you all are interested time frame we're
19 dealing with. And basically, we anticipate taking
20 about one year from now for NRC to complete its
21 detailed technical review. Now because this is a
22 restricted use decommissioning, we also will be doing
23 an Environmental Impact Statement and that takes about
24 two years, so that brings us now to 2008. In
25 Shieldalloy's Decommissioning Plan, they've estimated

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1 at about three years for them to actually conduct
2 their remediations activities, and that bring us now
3 to 2011 and if all of that was done satisfactorily,
4 we'd be looking at NRC completing its licensing action
5 somewhere in 2012. Next.

6 I did mention that there's various sources
7 where you can get information about the Shieldalloy
8 site and keep abreast of their activities. We do have
9 -- the Newfield Library has a repository for all of
10 their documents regarding Shieldalloy. We have an NRC
11 web page. We have another web page that devotes
12 strictly to decommissioning and then there's a
13 Shieldalloy web page. Don't bother writing all this
14 stuff down, there's a handout in the back that has all
15 this information. Next.

16 And I'd also mention that we published a
17 Federal Register notice on the 17th (of November) and
18 you have up until January 16th to request a hearing.
19 You have a longer period of time to submit comments
20 and that's up to March 16th. And when you submit
21 comments, this -- you can submit them by mail to this
22 address or by e-mail. And again, this information is
23 also in a handout in the back. Next slide.

24 That concludes my presentation and I will
25 now turn this over to Lance and again, I just want to

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1 say thank you very much for being here. We appreciate
2 your interest.

3 MR. RAKOVAN: Thanks, Ken. I have a
4 number of cards here of people who have signed up
5 specifically to make comments. I would like to start
6 with Jennifer Sneed, who is representing Senator
7 Lautenberg's office.

8 MS. SNEED: Thank you, good evening. As
9 he mentioned, my name is Jennifer Sneed. I'm Projects
10 Coordinator for United States Senator Lautenberg in
11 his Camden office. I also want to point out that here
12 this evening for Lautenberg's office is the South
13 Jersey Director, Steve Schultz and representing United
14 States Senator Menendez is Melissa Castro Romero right
15 here. She's the Outreach Director in the Barrington
16 office. I will now read to you a letter which both
17 Senators Lautenberg and Menendez sent to the NRC
18 Chairman Klein today.

19 "Dear Chairman Klein: We are writing to
20 express our strong opposition to the Decommissioning
21 Plan recently submitted by the Shieldalloy
22 Metallurgical Corporation, SMC, regarding its site in
23 Newfield, New Jersey. This plan proposes the
24 consolidation of all radioactive material into a
25 single pile that would be capped, fenced off and then

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1 monitored and maintained for hundreds of years. The
2 townships of Newfield Burrough, Franklin and Vineland,
3 along with the County of Gloucester, all strongly oppose
4 this plan. We agree that the residents of Newfield
5 should not be forced to live and proprietary with a
6 radioactive dump in their midst, that SMC created but
7 does not want to clean up. The area with the
8 contaminated slag pile would be restricted forever and
9 this is simply unacceptable.

10 It is in the best interests of the
11 township, the county and the State of New Jersey to
12 have the radioactive waste removed from the site and
13 disposed of properly in a site designed to handle this
14 kind of material. Allowing the contaminated slag to
15 remain on the property will limit the potential uses
16 of the land and damage the township's future both
17 economically and ecologically. We strongly urge the
18 Nuclear Regulatory Commission, NRC, to reject the
19 Decommissioning Plan proposed by SMC and require the
20 company to take responsibility for the radioactive
21 waste pile it created by cleaning up the site so the
22 entire property can be effectively utilized by the
23 township.

24 The people of New Jersey should not be
25 forced to accept stockpiles of radioactive waste

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1 simply to satisfy the wishes of a company that does
2 not want to pay to clean up a mess that it created.
3 We strongly believe that polluters and not the
4 taxpayers should be forced to deal with the costs and
5 the burdens of industrial waste. We are also
6 disappointed that the NRC recently allowed an
7 exception to its longstanding prohibition on allowing
8 companies to decommission by leaving materials on
9 site. Allowing SMC to do the same in Newfield would
10 be the start of an unfortunate and disturbing trend
11 whereby the nuclear industry will learn that they can
12 start leaving radioactive waste in the backyards of
13 American families. Thank you for your attention to
14 this important matter. Sincerely, United States
15 Senator Frank R. Lautenberg and United States Senator
16 Robert Menendez". Thank you very much.

17 (Applause)

18 MR. RAKOVAN: Thank you very much, Ms.
19 Sneed. I've also been told that we have Senator
20 Madden, Assemblyman Mayer, and Assemblyman Moriarty
21 in the back. They would like to make statements as
22 well. If you gentlemen could come to the front,
23 please.

24 (Applause)

25 SENATOR MADDEN: Actually, aside from a

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1 statement, I really have a question or two if I could,
2 from one of the speakers. I think the last speaker
3 would probably be the most appropriate to direct the
4 question to.

5 When you talk about a cost benefit
6 analysis, it seems the impression that we get
7 continually is that cost benefit analysis is leaning
8 more towards the polluter than the taxpayers. How
9 much is it going to cost to leave the slag on onsite
10 versus remove it as traditionally it has been done?

11 Could somebody talk to us just real quick
12 about this cost benefit analysis? Just define that
13 because a lot of things just simply for sake of
14 Newfield, a very, very, very small community,
15 homegrown, think of Mayberry, think of the people that
16 live here generationally. And that is what you are
17 dealing with.

18 It is a very, very small community. The
19 surrounding area is very rural. Its future is going
20 to wind up growing somewhat. But the reality of it is
21 simply this. The site on which this structures and
22 all are on, they are tearing them down. They losing
23 tax ratables in the town.

24 We are going to shut this area down.
25 There will be no tax ratables coming in. There will

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1 be no cleaning up and future growth. There won't be
2 homes maybe on that site. There will be no economic
3 growth in the region.

4 We are losing jobs. We are losing
5 construction jobs and long-term jobs. So just from a
6 financial sense, the real question is thinking of that
7 in this cost benefit analysis, is it simply what it
8 cost to say leave it there versus removing it? Or
9 does the long-term negative financial impacts on this
10 town and the surrounding area, is that figured into
11 this 1,000-year plan?

12 MR. KALMAN: Well, there were several
13 questions there. First of all, I think you initially
14 asked what the costs would be for clean up versus --
15 you know for leaving it on site versus moving it out.
16 Now the estimates that we have seen for leaving
17 material on site is somewhere around five or eight
18 million dollars. The costs of moving this to a low-
19 level waste facility, we see number anywhere from 35
20 million to 100 million.

21 These are just numbers we've seen. And we
22 haven't done our own cost analysis of this yet.

23 The second part is, you know, in regard to
24 safety. Now one part is that in fairness to our
25 licensees, the NRC can't tell a licensee what to do.

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1 If the licensee meets our requirements for this
2 restricted release -- restricted use decommissioning,
3 there is really no reason for us not to approve it.

4 SENATOR MADDEN: When you are saying cost
5 benefit analysis, I guess really the first thing is
6 could the NRC define that? What they actually mean?
7 How do you determine that it is beneficial financially
8 to leave this here even though it is a first of its
9 kind long-term licensing decision. And how do you
10 arrive at it?

11 MR. JOHNSON: In my talk, I had mentioned
12 the cost benefit part of the analysis. And there are
13 methods to do that that are set up in our guidance,
14 okay? So that sort of answers the question how to do
15 it. And that gives some guidance on how to quantify
16 costs.

17 But what your question is really about is
18 how do you actually -- what do you do with all this
19 information. And how do you come up with a cost for
20 the benefit?

21 SENATOR MADDEN: You get a -- somebody
22 decides -- makes a decision based on, in part, the
23 cost benefit. Okay, what weight is given to that?
24 Like who is it benefitting financially? The polluter?
25 Or the taxpayer?

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1 MR. JOHNSON: On the benefit side, okay
2 the benefit is dose reduction to the public -- to the
3 members of the community. Also the types of things
4 you mentioned about if you were to remove waste, take
5 it off the site, think of it this way. If you were to
6 remove waste and take it off the site, how does that
7 benefit local people?

8 Well, it benefits their health and safety.
9 And it benefits the local community's financial
10 situation, as you mentioned. So those benefits -- the
11 cost benefit is intended to try and quantify the
12 dollar benefit. So, you know, if there are
13 improvements or increases in property value by
14 removing, you know, the material, an estimate has to
15 be made -- an estimate of that benefit needs to be
16 made.

17 The health effect, the health
18 improvements, those are quantified again in dollar
19 values. And part of that is in our guidance on how to
20 do that.

21 SENATOR MADDEN: Okay, Mr. Johnson, if we
22 can -- and we can get this maybe through Senator
23 Lautenberg's office, what we would like to have is a
24 little bit more specifics as to how that is done.

25 This is my case in point. Five million to

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1 leave it there. Thirty-five million to haul it away
2 or 50 million. I'd venture to say just from a
3 financial sense that Newfield, Franklin Township,
4 Vineland and surrounding area in the county over the
5 next 1,000 years or hundreds of years are going to
6 lose an awful lot more money than 35 or 50 million
7 dollars.

8 (Applause.)

9 SENATOR MADDEN: If you think about it
10 from an environmental sense, I understand your impact
11 study will be done in the year 2008. It is a very,
12 very hard sell to take a small town such as this and
13 try to sell it that it is going to be economically
14 long-term good for them and healthy for their
15 children.

16 Aside from the research and the
17 scientists, I understand you have your position in
18 Washington. But like a comment was said locally in
19 one of our local meetings, if this issue was in
20 Washington, D.C., we wouldn't be having this because
21 it would be being removed and sent out west or
22 wherever it is to be.

23 So the real -- I will just address, if I
24 may, my people and thank you. And I'll pass the
25 microphone to my partner, Assemblyman Mayer.

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1 Ladies and gentlemen, you know that we are
2 in maybe our third year in office. But I will tell
3 you back even in our campaign days, this was an issue.
4 And in all the time that we have been dealing with it,
5 it made no sense then and it makes less sense now.

6 We were opposed to it then. We are
7 opposed to it now. Not too long ago we stood
8 collectively on the grounds of this schoolyard out
9 here and we took a vow against this whole plan.

10 We remain and strong and vigilant. We
11 continue to have dialog with Senator Lautenberg's
12 office and Senator Menendez is right on board with us.
13 I think if we work together, say our prayers, and stay
14 joined, we are looking to have a very positive resolve
15 for Newfield.

16 Thank you.

17 (Applause.)

18 ASSEMBLYMAN MAYER: Good evening. My name
19 is David Mayer. I'm one of the state assemblymen.
20 And I want to, for the record, state that Senator
21 Madden and Assemblyman Moriarty and myself are urging
22 the NRC to reject the application of Shieldalloy. And
23 that is really the essence of my first question.

24 This application has been submitted twice
25 already. Actually this is now the third time

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1 according to the outline. And it has been rejected
2 twice.

3 My question is when will that stop? When
4 is a rejection final? And why does the NRC continue
5 to work with Shieldalloy to fine tune that
6 application?

7 MR. McCONNELL: I'm Keith McConnell. In
8 the past we've rejected Shielalloy's proposal because
9 it had inadequate information. So this time we
10 believe that it has sufficient information to do a
11 detailed technical review.

12 We understand your concerns. We hear
13 them. But we need to go through our review process to
14 develop the analytical basis to make a judgment. And
15 that is what the Commission needs to basically make an
16 up or down call on the Shieldalloy proposal.

17 ASSEMBLYMAN MAYER: My understanding also
18 is this long-term control license, although Mr.
19 Johnson you said the long-term control concept has
20 been around awhile, it is my understanding that this
21 license is relatively new.

22 And my question is has this license ever
23 been granted nationwide, this type of license? And
24 did the NRC follow the rulemaking procedures when
25 developing this license? Or did it just create it

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1 through internal mechanisms?

2 MR. McCONNELL: I'll start and I'll let
3 Robert answer some also -- some aspects of your
4 questions. We do apply this same concept, as Robert
5 indicated, to the uranium mill tailings sites that are
6 in the west in terms of developing a long-term
7 control.

8 This is, for us, the first time we have
9 implemented this process for a decommissioning site.
10 But it is not a new concept for us.

11 ASSEMBLYMAN MAYER: And was the rulemaking
12 procedures followed for that? Or is this something
13 that you created entirely within the NRC?

14 MR. McCONNELL: Well, this is a way to
15 implement our rule. Our rule allows restricted
16 release and it allows restricted release with
17 institution of control. A long-term control license
18 is such an institutional control.

19 ASSEMBLYMAN MAYER: Well, I would also ask
20 is there a public advocate within the NRC that the
21 community can utilize to help us in forming our
22 arguments?

23 MR. McCONNELL: Well, we have -- in the
24 region, we have a state liaison that will help you.
25 If you call us or somehow get in contact with us,

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1 either, you know, through your official capacity or
2 otherwise, we will certainly try to help to the extent
3 we can.

4 ASSEMBLYMAN MAYER: And I would just
5 finally add that I would ask the NRC to keep in mind
6 that this is a company that has produced this material
7 for an extended period of time, who has had the
8 opportunity to dispose of this material over that
9 time, and now we find ourselves in the situation where
10 oops, now the pile is just too big to remove according
11 to the company.

12 This is a company that has made a profit
13 off the backs of the residents of this community. And
14 I don't think that because of that that this community
15 should suffer any more by leaving that pile here in
16 town.

17 (Applause.)

18 ASSEMBLYMAN MORIARTY: Gentlemen, my name
19 is Paul Moriarty. I'm also an assemblyman from the
20 Fourth District. And in answer to the question that
21 Dave Mayer posed about, you know, why have you kept
22 working with them on these applications, you said that
23 the first couple of times there was inadequate
24 information provided.

25 I think what Shieldalloy has provided is

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1 misinformation to the people here and to me.

2 (Applause.)

3 ASSEMBLYMAN MORIARTY: The very first time
4 that I met with officials from the company who came
5 and asked me as a new assemblyman if they could sit
6 down and discuss what they planned to do, they sat
7 down and number one they told me that it would cost 50
8 million dollars to remove this. We have a company out
9 west that says it would be 30 million.
10 Misinformation.

11 They told me -- I said what do the local
12 officials think about your plan? Where is the mayor?
13 And they said oh, he is onboard. He's fine with it.

14 They left and I called the mayor and I
15 said they say you are fine with this. He said what,
16 are you crazy? I'm not fine with that.

17 I think -- you say inadequate information.
18 I think that this company has been giving
19 misinformation to you and to you and to me. And I
20 think that they shouldn't be rewarded. I think they
21 should be penalized.

22 So I stand firm with these elected
23 officials and elected officials throughout our county
24 and throughout our state in saying we hope that you
25 will do what is right for this community.

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1 I would also like to just quickly read
2 this letter that was sent to the Chairman of the U.S.
3 Nuclear Regulatory Commission, Dale Klein, from
4 myself, Senator Madden, and David Mayer.

5 "Dear Chairman Klein:

6 "We are writing to request the U.S.
7 Nuclear Regulatory Commission further investigate
8 possibilities to remove 80,000 cubic yards of low-
9 level radioactive material from the Shieldalloy site
10 in Newfield, New Jersey. On December 2nd, 2006, the
11 Gloucester County Times reported that Energy
12 Solutions, a waste disposal facility, has offered off
13 site disposal services to Shieldalloy for a total cost
14 of 33 million dollars. This reported amount is much
15 less than the cost estimate reported by Shieldalloy
16 which contends that an off site cleanup project would
17 cost more than 50 million dollars.

18 "Leaving the low-level radioactive
19 material on site in Newfield poses serious
20 environmental, health, and financial problems for the
21 Borough of Newfield. The material sits on top of the
22 Cohansey Aquifer which is the source of Newfield's
23 drinking water. The radioactive waste is also located
24 near the environmentally sensitive headwaters of the
25 Maurice River and storm water runoff from the waste

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1 pile with discharge to the Hudson branch of the
2 Maurice River.

3 "It remains our position that the low-
4 level radiation should not be kept in Newfield and
5 respectfully request the NRC to investigate
6 possibilities to remove the radioactive material from
7 Newfield."

8 Thank you very much.

9 (Applause.)

10 MR. RAKOVAN: Thank you, gentlemen.

11 I have a number of cards here of people
12 who specifically signed up to speak. I am going to go
13 through them more or less in the order that I was
14 given them. Again, if you could keep them -- your
15 comments to a minimum or your questions to a minimum
16 just because of time allotment and the number of
17 people we have here, we would greatly appreciate it.

18 Given the response to the comments that
19 have been made thus far, if you would just like to
20 refer to a statement that has already been made and
21 say I support what so-and-so said, that would be
22 great. But having said that, I'm going to just go
23 with what I have here.

24 I have Mr. Ed Knorr from the Green Action
25 Alliance. Ed, do you want to -- do you want me to

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1 just bring the mike to you, sir? Okay.

2 MR. KNORR: Thanks.

3 Good evening. My name is Ed Knorr,
4 Chairman of the Green Action Alliance.

5 I guess to try and keep my notes short I
6 came in here with one type of rational thinking. But
7 after hearing everything, it kind of got distorted.
8 So let me start and the end and work backwards.

9 Anything short of removal of the piles of
10 slag and contaminated debris will not be acceptable to
11 the residents of Newfield, to the residents of South
12 Jersey, Gloucester County, or to our fragile water
13 supply. The bottom line is that we must remove this
14 material at any cost to Shieldalloy.

15 The concern is that number one, we are
16 looking for every avenue. I have been in the
17 environmental business for 27 years. Been a
18 consultant, contractor, environmental investigator.

19 The concerns I have is many times when you
20 go to different meetings -- I have worked across the
21 country, out of the country -- is that we are always
22 pacifying the polluter. We are trying to look for
23 rational ways to save him money.

24 We have put these people at risk. We have
25 put South Jersey people at risk. Anywhere I go across

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1 the country it always comes back about New Jersey
2 being the armpit of the country. Why? Because we are
3 known as the toxic state. For the same reason that we
4 are here tonight.

5 We are not solving problems. We are
6 covering them up and running from them. That nonsense
7 has to stop.

8 We rely on the federal government to help
9 us in this avenue. Unfortunately, many times the
10 government closes their eyes, shuts down their ears,
11 and sometimes shuts down their minds. I'm not here to
12 be argumentative but the concerns here are rational,
13 real.

14 We are talking about a 1,000-year plan.
15 It is nonsense. Let's just -- why don't we look about
16 100-year plan. Everybody here is going to be dead and
17 gone. Their kids are going to be dead and gone.
18 We're talking about a 1,000-year plan that nobody is
19 ever going to relate to.

20 To me that is an excuse plan to pass it on
21 to the next generation. Our children will have to
22 bear the consequences of what happens here.

23 Now when I was little, I got a splinter in
24 my finger. Like a fool, I didn't say anything. I
25 left it there. I almost had to get my finger chopped

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1 off because of that.

2 We are doing the same thing in a different
3 way. We are leaving a pile here to fester. The
4 concern is we have had enough problems with our water
5 in South Jersey. We don't need any more.

6 And in dealing with risk assessments, I
7 listened for a half hour to your comments. I'm not
8 throwing them back at you but the concern is we are
9 saying how safe this stuff is. I would ask each of
10 you tonight to take a bag home with you if it is that
11 safe.

12 (Applause.)

13 MR. KNORR: I mean it's -- why -- this is
14 a company, number one, that was kind of under your
15 supervision in a sense. You licensed them. If I did
16 the same thing, if I licensed a company and I didn't
17 bother with them, just didn't bother at all, and they
18 created the problem they have here, you know where I
19 would be? I'd be in jail.

20 So the concern I have is that number one,
21 we should do a plan that is effective for the people.
22 And a plan quicker. I'm looking at the timetable
23 here. No offense to timetables but they always say
24 government works on treadmills. I wish it did because
25 it would work quicker.

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1 But unfortunately this plan here to 2012,
2 2014, this is not the first time you ran into this
3 type of material. There should be a plan in effect
4 that could hasten this.

5 And the concern is sometimes plans are put
6 on the treadmill because they become less effective
7 over time. People start saying oh, I don't want to
8 hear about it.

9 But this is -- we have a school here.
10 Right within the radius of the school we're going to
11 put a pile, cover it up, not relating to what the
12 concerns of future issues with the compaction of that
13 material down through the ground into the groundwater.
14 But for 1,000 years we are going to put a fence around
15 it. We're going to cap it. And we are going to have
16 children playing out there. But this material is
17 safe.

18 So the question is if it is that safe, why
19 does it cost 50 million dollars to remove? Why do we
20 have to put a fence around it? And why do you have to
21 stay off the property for 1,000 years?

22 Thank you.

23 (Applause.)

24 MR. RAKOVAN: Thank you, sir.

25 Keith, did you want to make any statement

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1 to that?

2 MR. McCONNELL: Yes, I won't try to
3 respond to the entire statement but the bottom line is
4 one of the reasons we are here is to hear your
5 concerns and your comments. But I would just like to
6 comment about one thing and that is the length of the
7 review process.

8 One of the indications or one of the
9 reasons why it is taking us so long to review it is
10 because our review is thorough and rigorous. And we
11 believe that is the best way to approach this process.
12 And it is the best way to make a decision based on the
13 science that is available and a rigorous thorough
14 review. And that is what we intend to do. And that
15 is why it is going to take us two years.

16 So, again, it is not -- I'm not, you know,
17 criticizing or commenting on the speaker's comments.
18 But we are here to hear those comments. And we
19 appreciate hearing them.

20 Thank you.

21 MR. RAKOVAN: Thanks, Keith.

22 I apologize if I mispronounce your last
23 name but Mr. Craig Minarich? I'll make my way over to
24 you, sir.

25 MR. MINARICH: Yes. My name is Craig

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1 Minarich. I just had a few questions on the plan they
2 were talking about. One of the things they talked
3 about is the 1,000 years is what we are going to
4 design this for. And I'm a resident of Newfield so
5 I'm concerned.

6 But also I'm a nuclear engineer so I
7 understand that you take uranium and you set it aside
8 for 1,000 years, it is not any different after 1,000
9 years. Your half life is -- correct if I'm wrong --
10 like somewhere around one and a half million years,
11 somewhere around there. So one of my concerns is what
12 is the technical basis for 1,000 years. It has
13 nothing to do with the -- as far as I can see -- the
14 half life of the uranium and thorium.

15 And another question I have is one of the
16 things which they said they would try to do was try to
17 resell the uranium and thorium for fuel. Well, right
18 now most of you guys are, especially at the NRC,
19 probably very well aware of, you know, we are getting
20 on the verge of one, possibly as many as 30 new
21 reactors. And the uranium -- you know, the uranium
22 supply is expected to be very tight by the year 2010.

23 So have they recently looked at this? Or
24 has this been two or three years ago that they looked
25 at the possibility of trying to resell this? And have

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1 they even looked at just trying to give it away? Just
2 something to get it out of Newfield and give it to
3 somebody who actually wants it.

4 And the third and last part is we talked
5 about the legal requirements that they have. Well,
6 the company, as I understand it, is closing up shop in
7 the United States and moving to Brazil. So what is
8 the recourse we have for a company if it is going to
9 move its base of operations to Brazil.

10 MR. McCONNELL: If it is okay with you, we
11 will work backwards. I'll let Robert answer the last
12 question. And then we will work backwards with your
13 three questions.

14 MR. RAKOVAN: If the licensee is given a
15 long-term control license regardless of its home base
16 or its headquarters base, they are legally responsible
17 for maintaining the controls on that site regardless
18 of where they are at.

19 We will enforce it. We have under our
20 license or our authority, we have enforcement
21 authority to do that. But in the event -- take it to
22 the extreme, in the event that they can't perform and
23 they are not able or they are not located here
24 anymore, as I said in my talk, we would be able to
25 step in and identify a contractor to continue that

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1 work using the trust funds. We would try to identify
2 a new owner and a licensee, you know, for that site.

3 So there is a back up, you know, for that
4 case. But they are legally responsible regardless of
5 where they are located, whether it is Canada or Brazil
6 or here, regardless of where they located, they are
7 legally responsible, you know, for maintaining the
8 controls on that site. And we can enforce their
9 responsibility.

10 MR. RAKOVAN: Okay. There was two more
11 questions.

12 MR. KALMAN: Okay. I would like to
13 respond to the question about, you know, finding a
14 buyer for the uranium contents. The main issue that
15 has made it difficult to find a buyer is that the
16 uranium is now in a vitrified slag. And it is
17 basically cost prohibitive for anyone to be able to
18 extract the uranium out of that.

19 A number that we heard recently was, you
20 know, the spot price of uranium would have to go up
21 almost eight times over what it is today before a
22 buyer would be interested in that material. But
23 thanks for the question.

24 MR. McCONNELL: But the bottom line is
25 they have looked at alternatives. They have looked at

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1 a number of alternatives, none of which have panned
2 out.

3 Now to answer, you know, the answer to
4 your first question which, I think, related to the
5 1,000-year time frame and in establishing a 1,000-year
6 time frame, what the Commission decided was to take a
7 representative length of time that they thought would
8 be sufficient to make a determination about the
9 durability of controls and the health risks that would
10 result from this type of facility.

11 To go beyond 1,000 years, the Commission
12 believed, got too far into uncertainty about the
13 inability to predict limits of humans. Yes, I
14 understand even 1,000 years is difficult. But I have
15 to tell you just to put it in perspective, in the
16 high-level waste program we have been told that you
17 have to look out beyond 10,000 years.

18 So it very difficult to even conceptualize
19 what is going to happen in 10,000 years. So what the
20 Commission tried to do was establish the certain
21 amount of time over which we could make a judgment.

22 MR. MOMAHAM: So you are saying it is
23 going to be radioactive to 10,000 years?

24 MR. RAKOVAN: Sir, sir --

25 MR. MOMAHAM: I'm sorry. Are you saying

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1 it is going to be radioactive --

2 MR. RAKOVAN: Could you identify yourself,
3 sir, so we can get you on the transcript, sir? Could
4 you identify yourself?

5 MR. MOMAHAM: I'm Robert Momaham.

6 MR. RAKOVAN: Into the mike.

7 MR. MOMAHAM: I'm Robert Momaham. Is it
8 on? I'm sorry, is it on?

9 MR. RAKOVAN: Here use this one.

10 MR. MOMAHAM: Did you just say you made it
11 1,000 years because realistically it is going to be
12 10,000 years?

13 MR. McCONNELL: Well, I think your
14 question was will this material remain radioactive FOR
15 1,000 years --

16 MR. MOMAHAM: or beyond.

17 MR. McCONNELL: -- or beyond. And the
18 answer to that question is yes. These types of
19 radionuclides don't decay in 1,000 years.

20 MR. MOMAHAM: So what is the plan for
21 that? I mean what are you talking about then?

22 MR. McCONNELL: Okay, I'll tell you.

23 MR. MOMAHAM: Why don't you make it 10,000
24 years? Or a million years? Like when is it not
25 radioactive?

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1 MR. McCONNELL: For Uranium and thorium,
2 it's -- for all intents and purposes, it is
3 radioactive --

4 MR. MOMAHAM: Forever?

5 MR. McCONNELL: -- forever. Okay. For
6 uranium and thorium.

7 (Applause.)

8 MR. MOMAHAM: I'm sorry.

9 MR. RAKOVAN: No need to apologize, sir.

10 MR. McCONNELL: No and thank you for your
11 question.

12 MR. RAKOVAN: Did that answer your initial
13 questions?

14 MR. MOMAHAM: Yes.

15 MR. RAKOVAN: Okay.

16 All right. I have Cheryl Bramble next.
17 Hold on -- can you please speak into the mike, sir?

18 SENATOR MADDEN: I just thought of a
19 question when you said 10,000 years. The company says
20 we will put up five million dollars and encapsulate
21 this and monitor it. It will be good for 1,000 years.
22 What is a dollar worth in 1,000 years? Or what is a
23 dollar worth in 10,000 years?

24 So maybe they should be putting up 100
25 million dollars to keep it there instead of the 50

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1 million to drag it out of town.

2 MR. McCONNELL: Well, there are
3 provisions and I will let Robert speak to it to
4 escalating the amount of money in the financial
5 assurance.

6 SENATOR MADDEN: Could you speak to that?
7 I'd really like to know what you think a dollar will
8 be worth in 1,000 years because if they are putting up
9 five million dollars to monitor this for the 1,000
10 years, is that what they are supposed to be doing?

11 MR. McCONNELL: Okay. Let me -- could we
12 just have one conversation please?

13 MR. MOMAHAM: If I could hear one.

14 MR. McCONNELL: Sure.

15 MR. MOMAHAM: Sure.

16 MR. JOHNSON: I wish I knew what a dollar
17 would be worth in 1,000 years. But in our estimate we
18 are trying to include a factor for that. We are also
19 trying to include a very conservative estimate for the
20 income each year, a one percent income each year.

21 So in the analysis of cost, in the
22 analysis of the amount of money that needs to be in
23 the fund, these types of things are to be considered
24 and calculated. But particularly the return on
25 investment, you know how much return can we expect

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1 each year so that the fund won't be depleted.

2 So the goal is to have that fund remain
3 intact so that you will get interest income off of
4 that, you know, for the whole time period that is in
5 question. That is the goal and that is the challenge.
6 And that is part of our review of what they have
7 submitted to us.

8 SENATOR MADDEN: Well, does the NRC have
9 financial people that can figure those things out?

10 MR. JOHNSON: Yes. We have financial
11 reviewers, and we have financial guidance for this in
12 our decommissioning guidance. And this has been one
13 of the issues. It's a good question, because this is
14 one of the issues why we rejected the decommissioning
15 plan previously, was to get more information on
16 financial assurance to have their proposal be more
17 consistent with our guidance.

18 SENATOR MADDEN: So at this point in their
19 proposal, how much are they proposing to set aside to
20 take care of this entire issue, encapsulate it, and to
21 provide for the future? What is that number?

22 MR. JOHNSON: I believe that their -- they
23 have proposed a \$5 million fund, which would provide
24 the interest income on the order of, I believe, around
25 \$20- to \$30,000 a year for monitoring and maintenance.

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1 This is a typical level of monitoring and maintenance
2 from the experience that we and Department of Energy
3 has had for the mill tailing -- 25 mill tailing sites
4 I mentioned to you.

5 So we're trying to build upon that
6 experience that we've had with Department of Energy,
7 and the typical cost for monitoring and maintenance of
8 similar sites. Many of them are much larger than
9 Shieldalloy, but, you know, we're trying to use that
10 information, make it available, so that the cost
11 estimates can be as realistic as possible, as our
12 information is.

13 SENATOR MADDEN: Can you provide us with
14 the information that your financial people have come
15 up with with a sheet showing 1,000 years, how much
16 money is going to be made and how much is going to be
17 expended? They must have come up with an analysis
18 sheet to come to that number, I would think.

19 MR. JOHNSON: Oh, I can provide you with
20 the guidance that we have in our -- on our website,
21 and the decommissioning guidance for the financial
22 assurance part and the calculation there.

23 SENATOR MADDEN: But did someone do an
24 actual rundown for this particular property and this
25 particular issue?

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1 MR. JOHNSON: Not for this particular
2 property yet. That's part of our detailed review.
3 You know, we've looked at what they've submitted, and
4 they have submitted information enough to begin our
5 review. So that's a key issue for us in our review,
6 and we'll be looking at that.

7 SENATOR MADDEN: Would it be fair to say
8 that in your review you might further look at this and
9 try to calculate year by year, just like someone does
10 with an amortization of their loan, to figure out the
11 flow? And at the end could it be possible, based on
12 inflation and what a dollar is worth in 1,000 years,
13 or 10,000 years, because you say it will still be
14 radioactive, could it be possible that they really
15 need to put \$100 million into the fund, or
16 \$50 million? I mean, do you have a number, or is this
17 just -- sounds good, \$5 million sounds good?

18 MR. JOHNSON: That's what they have
19 proposed, and that's what we have to review. So this
20 is an example --

21 (Laughter.)

22 MR. RAKOVAN: Okay. All right. Come on.
23 Come on, guys.

24 MR. JOHNSON: Okay. So, but at the end of
25 the day, though, when you review it, it could be

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1 woefully inadequate.

2 MR. JOHNSON: That's right.

3 SENATOR MADDEN: And they may actually be
4 making out better if they moved the stuff, for
5 \$30 million to -- out west.

6 MR. JOHNSON: And maybe that's --

7 SENATOR MADDEN: Is that correct or --

8 MR. JOHNSON: And maybe that's possible.

9 So --

10 MR. RAKOVAN: That's correct.

11 MR. JOHNSON: -- this is why we're asking
12 for comments tonight for the record, so they'll help
13 us in our review. I think it's a good question for us
14 to -- well, it's part of our review, and we will look
15 at it.

16 SENATOR MADDEN: Another question on your
17 -- I'm sorry, I don't mean to be hogging, but --

18 MR. RAKOVAN: That's okay. You're
19 representing these people.

20 SENATOR MADDEN: You say that by January
21 I think it's 17th you can require a hearing. Who
22 requires a hearing, Shieldalloy?

23 MR. JOHNSON: Individuals can request a
24 hearing by January to the Regulatory Commission.

25 SENATOR MADDEN: And request a hearing --

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1 what do you mean, like -- can you explain that
2 process? Because we might want to request one right
3 now.

4 (Laughter, followed by applause.)

5 MR. JOHNSON: Yes. Let's --

6 MR. Hull: Hi. My name is John Hull. I'm
7 an attorney at the Nuclear Regulatory Commission.
8 There are copies of the Federal Register notice that
9 Ken mentioned. They're available on the back table
10 there.

11 SENATOR MADDEN: But could you explain it?
12 I know you're an attorney, but can you try and explain
13 it to a dummy like me?

14 MR. Hull: The Federal Register notice
15 summarizes the detailed procedural requirements that
16 apply to requesting adjudicatory hearings within the
17 NRC. Very briefly, as stated in the notice, people
18 have until January 16 of 2007 to request a hearing.
19 Part of that hearing request would need to set forth
20 contentions. That in turn requires review of the
21 Shieldalloy decommissioning plan and/or the
22 environmental report, which is part of the
23 decommissioning plan --

24 MR. RAKOVAN: John?

25 MR. Hull: -- in order to --

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1 MR. RAKOVAN: John? I think they're just
2 trying to ask who -- what will the hearing involve?
3 Who will be against, so to speak? Or --

4 SENATOR MADDEN: In other words, who has
5 standing at a hearing? Like, do you have to be a
6 resident of the town? Do you have to make a certain
7 case? Can I just make a case and request a hearing
8 because I think that they haven't even considered the
9 right amount of money that they would have to put
10 aside to take care of this?

11 MR. Hull: If the State of New Jersey or
12 any local governments request a hearing, they are
13 automatically considered to have standing. The state
14 and/or the local governments would still need to
15 submit at least one admissible contention in order for
16 the hearing request to be granted.

17 The process -- in the process, the hearing
18 requests that are submitted to the NRC, they are
19 referred to our Atomic Safety and Licensing Board.
20 The Board appoints an Atomic Safety and Licensing
21 Panel. Typically, it's two technical judges and one
22 lawyer.

23
24 **[CORRECTION: The governmental waiver of the**
25 **requirements to establish standing to participate as**

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1 a party in NRC adjudicatory proceedings (referred to
2 in the underlined text above and below) applies only
3 in cases involving nuclear power reactor facilities.
4 This is based on how the term "facility" is defined in
5 10 CFR 2.4. Accordingly, should New Jersey and/or any
6 local governments submit hearing requests on the
7 proposed Shieldalloy Decommissioning Plan, such
8 requests would need to address the issue of standing.]
9

10 SENATOR MADDEN: Can I interrupt for a
11 second? You said a local municipal or state
12 government. What about an interest group or a group
13 of citizens? Can they request a hearing?

14 MR. Hull: Anybody can request a hearing.
15 It's only the state and local governments, though,
16 that are automatically considered to have standing.
17 The other people that request a hearing, one of the
18 requirements they need to meet is they have to
19 establish they have standing.

20 SENATOR MADDEN: And how do they do that,
21 sir?

22 MR. Hull: They have to show that they
23 have an interest that could be affected by the
24 proposed proceeding, by a hearing.

25 SENATOR MADDEN: Well, wouldn't that be

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1 someone that lives in the town that might be affected?
2 Does that -- I mean, that's more standing than me.
3 I'm just a politician. I don't even live in this
4 town.

5 MR. Hull: Typically, people that live
6 within a certain radius of the area of the site -- in
7 this case, of course, Shieldalloy -- typically people
8 that live within a certain area have a very strong
9 case for standing, they are usually granted standing,
10 but it's not automatic as it would be as if the state
11 or local government requested a hearing.

12 SENATOR MADDEN: Yes. You said within the
13 -- I mean, almost everybody lives within that radius,
14 if they live in Newfield. And probably in Vineland,
15 too. Do you know what the radius is?

16 MR. Hull: There is no set radius as there
17 is if this was a -- we're talking about a power
18 reactor, but people that live in the community
19 obviously would have a greater case for standing than
20 people that lived in, say, New York or California.

21 MR. RAKOVAN: John, I also had a question
22 of, where would the hearing be held?

23 MR. Hull: The hearing would be held at a
24 local site in this area.

25 SENATOR MADDEN: Thank you. And who would

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1 I follow up with about that more detailed financial
2 information? Okay. Thank you.

3 MR. RAKOVAN: Keith, did you have
4 something you'd like to say?

5 MR. McCONNELL: Well, you can follow up
6 with any of us. We'll make sure the information gets
7 to the people that are interested.

8 MR. RAKOVAN: Okay. I'm going to go back
9 to Cheryl Bramble, who probably has been sitting
10 waiting patiently while this -- Cheryl, are you still
11 here? Can you send up a flag or something? Okay.
12 I'm guessing she must have departed, then.

13 All right. Let me take a look.

14 MR. McCONNELL: While you're doing that,
15 Lance, one thing I would like to say is that I think
16 there was an indication that we might not look at
17 anything less than 1,000 years. But we looked through
18 that whole timeframe in terms of public health and
19 safety and impacts on the environment. So it's not
20 that we look out 1,000 years. We look through that
21 range of time. So I don't want to give the false
22 impression we're only looking out 1,000 years.

23 MR. RAKOVAN: Okay. Loretta Williams? If
24 you'd like to come to the podium, certainly. I'd just
25 ask, given the time and the number of cards I still

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1 have left, if you could keep your comments concise.

2 MS. WILLIAMS: I have written a letter
3 that I have submitted. I will not read it.

4 MR. RAKOVAN: Keith, do you want to give
5 her a hand?

6 MS. WILLIAMS: Okay.

7 MR. RAKOVAN: Thank you.

8 MS. WILLIAMS: I've written a letter to
9 the NRC and submitted it tonight on record. I will
10 not read it at this time, because of the number of
11 people here and people who might want to speak. But
12 I do have questions. Why was the LTC criteria used as
13 guidance and not promulgated in a formal rulemaking
14 process?

15 MR. RAKOVAN: Do you guys want one of the
16 handhelds? It's on. Here. This one is better.

17 MR. McCONNELL: I think this question came
18 up earlier, and our perspective is that, in essence,
19 under our regulations restricted release is allowed
20 with institutional control. The long-term control
21 license is one method of developing institutional
22 controls that will apply to the restricted release
23 option.

24 MS. WILLIAMS: In other words, you've
25 actually bypassed your regulations in order to -- for

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1 guidance for institutional controls.

2 MR. McCONNELL: We don't believe so. We
3 think we're implementing our regulations. Our
4 regulations are what's called performance-based, which
5 is that they're a high level, but they basically,
6 then, are supported by guidance in how to implement
7 those regulations. And that's how we've developed the
8 long-term control license concept is how we implement
9 those regulations. But we think that its process is
10 covered by our regulations.

11 MS. WILLIAMS: Okay. However, in the
12 past, until this new concept for decommissioning came
13 into effect with the -- at the NRC, when a licensee
14 decommissioned they had to terminate the license. The
15 industry would terminate the license, and the material
16 would be sent to a licensed low-level radioactive
17 waste facility. It was not left in place under a
18 long-term control license or a restricted or a
19 possession-only license.

20 This was not done. This is fairly new.
21 This is the only company that the NRC has ever done
22 this for. They haven't done that for any other
23 company in this United States.

24 MR. McCONNELL: Since 1977 when our
25 regulations went into place, and they were developed

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1 through a public process, since that time the
2 restricted release option has been available. But as
3 Robert has indicated, we've done similar things in
4 terms of our licensing activities for uranium mill
5 tailings facilities out in the western United States.

6 MS. WILLIAMS: But wasn't that Department
7 of Energy sites?

8 MR. McCONNELL: They were both Department
9 of Energy and NRC sites.

10 MS. WILLIAMS: Okay. Another question.
11 In considering the LTC license, why did NRC not
12 adequately address your own strict standards
13 associated with siting a low-level radioactive waste
14 facility in regards to the SMC?

15 MR. McCONNELL: Our regulations are
16 applied to different types of facilities, so we have
17 certain regulations that apply to low-level waste
18 facilities, and certain regulations that apply to
19 decommissioning facilities.

20 There's a level of equivalency across
21 those regulations, but, in essence, there are separate
22 regulations that apply. I'm not -- does that answer
23 your question?

24 MS. WILLIAMS: No. No.

25 MR. McCONNELL: I'm sorry.

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1 MS. WILLIAMS: Because according to these
2 standards, it has to be in a well-drained area. It
3 has to be monitored in their DP plan. Shieldalloy has
4 no cost estimates for long-term monitoring, no cost
5 estimates for -- you know, for the aligner underneath
6 the waste, and no, this is the worst place to put it.

7 It sits on the Quincy aquifer where
8 Newfield and surrounding towns get their water.
9 That's what supplies us our water, that aquifer, and
10 this is going to be contaminated. Eventually, we are
11 -- this state is full of sites where material was
12 left, and now they have to remove it and take it to
13 licensed facilities, because they have leaked.

14 And they were told -- people were told,
15 hey, this isn't going to happen. These are put in
16 containers. They don't even -- they're not even
17 putting this in containers and putting it in a
18 concrete bowl like, you know, if -- like a state-of-
19 the-art facility would do.

20 So no, this -- I don't agree with you that
21 -- you strictly went against your regulations for
22 siting a low-level radioactive waste facility.

23 MR. McCONNELL: Well, this is not a low-
24 level waste disposal facility.

25 MS. WILLIAMS: It's an unlicensed -- if

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1 they get this license, it will be actually an
2 unlicensed low-level radioactive waste facility.

3 MR. McCONNELL: A low-level waste
4 radioactive disposal facility, except waste form, all
5 sources basically, depending on what the regulations
6 allow, but this is not a facility where material has
7 been brought initially outside from a multiple --
8 multiple sites and brought in to be disposed there.
9 This is an industrial process that created waste.

10 MS. WILLIAMS: This is worse. This is
11 worse. I know that they won't bring it in, or so
12 we're told. Who knows some day if they'll be able to
13 bring it in. However, this is the worst possible
14 place to put this.

15 MR. McCONNELL: Under our regulations,
16 that would not be allowed.

17 MS. WILLIAMS: Well, you changed the
18 regulations. You changed the regulations to guidance.

19 MR. McCONNELL: No.

20 MS. WILLIAMS: LTC license is not a
21 regulation. It's a guidance. It's guidance that
22 somebody dreamed up for this company.

23 MR. McCONNELL: Well --

24 MS. WILLIAMS: Only for Shieldalloy.
25 Where did they get such preferential treatment?

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1 (Applause.)

2 Okay. I've got two more questions.

3 MR. RAKOVAN: I think it's worth noting
4 that --

5 MS. WILLIAMS: I have two more questions.

6 MR. RAKOVAN: -- no decisions have been
7 made yet. So, you know, the questions that you're
8 asking, we can't answer directly, because we haven't
9 done the review yet. Do you have a question or two
10 more or --

11 MS. WILLIAMS: Yes.

12 MR. RAKOVAN: Okay.

13 MS. WILLIAMS: I have another question.

14 MR. RAKOVAN: Okay. Just a couple more,
15 because I've got about 15 more people to get to.

16 MS. WILLIAMS: Shieldalloy claims that the
17 slag is not soluble. When I asked that question at an
18 SSA -- a Site-specific Advisory Board meeting, whether
19 testing was done to see if it was soluble or
20 leachable, the results -- and the results of the
21 analysis. At the time those tests were done, not, you
22 know -- not recently, now they said they were going to
23 do tests recently.

24 Now, I have heard that the results show
25 that uranium and thorium are not readily soluble. The

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1 result for radium, however, which is also present in
2 the slag, does not support Shieldalloy's statement.
3 So evidently that is leachable.

4 MR. McCONNELL: Well, that's going to be
5 a fundamental part of our review. We've done this
6 basically -- the exposures would occur if the material
7 is able to leach other material. And basically --

8 MS. WILLIAMS: When were these tests done,
9 do you know?

10 MR. McCONNELL: I'm not --

11 MS. WILLIAMS: I don't think they were
12 recent.

13 MR. McCONNELL: I'm not sure. The NRC
14 does have its own set of information and data on
15 leaching material out of slag. So we would use that
16 independent analysis to judge what Shieldalloy has
17 proposed in its decommissioning plan.

18 MS. WILLIAMS: Okay. One more question.

19 MR. McCONNELL: Sure.

20 MS. WILLIAMS: What is the criteria used
21 to determine undue burden on the community?

22 MR. JOHNSON: That's a good question. We
23 don't have criteria for that. What we have said that
24 -- it's very important for the local community, in
25 providing their input and their comments, whether it's

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1 through the Site-specific Advisory Board or whether
2 it's through comment, you know, on this plan, you
3 know, to try to quantify and try to determine what you
4 think is an undue burden.

5 We don't want to define to this local
6 community, or any other local community for that
7 matter, what an undue burden is to them. So whatever
8 you feel is an undue burden is something that we would
9 want to consider. We would like to understand why you
10 think it's an undue burden. That's important as well.
11 So this is a good area for --

12 MS. WILLIAMS: Well, however, if you don't
13 have a criteria, you can't give them this license.
14 You must reject this license, tell Shieldalloy, "Three
15 strikes, Buster, you're out." And you send it
16 offsite. You call up --

17 (Applause.)

18 -- and you say that \$30 million is an --

19 (Applause.)

20 -- and then we won't have any undue
21 burden.

22 MR. RAKOVAN: Thank you for your comments.

23 MR. CAMPER: Let me try to tackle a couple
24 of things and maybe take the heat off the staff up
25 here a little bit. Larry Camper, Director of the

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1 Division of Waste Management and Environmental
2 Protection.

3 Let me -- we understand the general
4 sentiment and have watched you folks in this room and
5 this community as the slag --

6 AUDIENCE MEMBER: (Inaudible comment from
7 an unmiked location.)

8 MR. CAMPER: We understand.

9 AUDIENCE MEMBER: No, you don't. You
10 don't live here.

11 MR. CAMPER: Can I finish my comment?

12 MR. RAKOVAN: Can we please not get into
13 a debate?

14 MR. CAMPER: We understand that the
15 general sentiment of this community and the folks in
16 this room tonight is for Shieldalloy to take the slag
17 away. We understand that. What we're trying to
18 convey to you tonight is the process that will be used
19 to evaluate a decommissioning plan which has been
20 submitted by Shieldalloy.

21 I want to make something very clear, and
22 bear with me when I do this with some sense of
23 emotion. We are in the business of protecting public
24 health and safety. It's what we do. We have 100
25 sites right now that are undergoing decommissioning in

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1 the United States. These are power reactors. These
2 are research and test reactors. These are sites like
3 this which are all uranium and thorium processing
4 sites.

5 We are using the same process here that we
6 will use for evaluating every one of those
7 decommissioning plans and license termination plans.
8 We have made no determination as to whether or not
9 this decommissioning plan is going to be acceptable or
10 not. And I want to emphasize that. And we are here
11 to hear your comments and to hear your concerns. And
12 when we do this throughout the United States, we do
13 hear comments and concerns like this from this
14 community and other communities.

15 Yes, ma'am, we do understand your
16 concerns. And I want to assure you that if this
17 decommissioning plan does not satisfy our regulatory
18 criteria, then it will not be accepted. Period.
19 Period.

20 Now, to successfully decommission a site,
21 our regulations allow for unrestricted release or for
22 restricted release. Let me point out that even when
23 a site is decommissioned to unrestricted release it
24 doesn't mean that every bit of radioactivity at that
25 site is taken away. Some radioactivity remains even

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1 when a site is decommissioned for unrestricted
2 release.

3 What has to happen is it has to meet the
4 dose standard in our regulations, and that dose
5 standard is based upon the risk that is designed to
6 protect public health and safety.

7 Now, that occurs also when it's a
8 restricted license. What happens in a restricted
9 license, though, is the licensee says, "We're going to
10 put in place barriers, institutional controls, and the
11 like, to ensure that those dose standards are met."
12 We understand, and it's why we put these applications
13 through such rigorous review.

14 We want to make absolutely certain, in a
15 case where a licensee pursues restricted release, that
16 those dose standards are going to be met. This
17 application will be subjected to the same level of
18 scrutiny. We do not know -- the staff does not know
19 yet, because we haven't completed our analysis,
20 whether or not the proposed amount of financial
21 assurance will be adequate for what this licensee is
22 proposing.

23 The gentleman -- elected official makes
24 some very good comments about the amount of money that
25 it would take over time. We intend to conduct that

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1 kind of analysis.

2 The question of the period of performance
3 has come up. I want to point out that while the
4 period of performance for this particular rule -- and
5 by the way, different rules have different periods of
6 performance. I know that sounds illogical. It sounds
7 illogical to me. But the reasons that different
8 periods of performance come to be are very, very
9 complicated, and there's a myriad of reasons, and we
10 don't have the time to go into it tonight.

11 But this particular rule has 1,000 years.
12 Keith pointed out that it's a period of time in which
13 the Commission looks at and says the staff can do some
14 reasonable representative modeling to determine what
15 will be the dose contribution over time.

16 And by the way, the gentleman who raised
17 the point about uranium not being covered within 1,000
18 years, he's right. But we also look at dose
19 contribution beyond the 1,000-year period. That also
20 occurs in the environmental impact statement as well.

21 So we're aware that dose contribution can
22 occur beyond the 1,000 years of performance. So it
23 doesn't just stop at 1,000 years when it comes to dose
24 contribution.

25 Why 1,000 years as opposed to 100 years?

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1 Because we're concerned about protection into the
2 future, not just near term. And, for example, a low-
3 level waste site -- the issue of low-level waste has
4 come up. The lady made a number of good points, which
5 are very understandable.

6 Residual waste at a site that has had an
7 operation that goes to decommissioning, what is left
8 behind is not low-level radioactive site. A low-level
9 radioactive waste site is a site that receives a
10 number of different categories of waste, different
11 classes of waste, and they operate at a commercial
12 facility.

13 The last point I would make is on the
14 question, which has come up several times, of the
15 guidance that was created. If you go look in the
16 regulation for the license termination rule, you're
17 going to find a rule that's about two and a half pages
18 long. We have promulgated probably as much guidance
19 as I am tall in support of that rule.

20 The long-term control license is one more
21 piece of guidance that we have promulgated. And when
22 we decided and coordinated with the Commission and the
23 Commission approved the approach, what we believed and
24 subjected it to a legal review within the organization
25 was that the idea of a long-term institutional

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1 control, and a durable control, was within the
2 regulation. And so what we did was provide guidance
3 for something that was within the scope of the
4 regulation, and that's why we thought it was
5 acceptable.

6 But I want to kind of finish up this
7 moment the way I started out. I want you to
8 understand, please, we do understand, and we are
9 receptive to your concerns. And that's why we're here
10 tonight. We have made no decision on the
11 decommissioning plan that has been submitted.

12 Over the next year to two years, we're
13 going to subject it to a rigorous review, we're going
14 to do an environmental impact statement. I do not
15 know whether it will be acceptable or not, nor does
16 the staff.

17 MR. RAKOVAN: Okay. I've got a number of
18 hands coming up. I'm going to take them in the order
19 that I saw them.

20 MS. DeJOYA: Just a quick question for
21 you. Excuse me. You say that you understand how we
22 feel about all this? Can I just ask, how much weight
23 do citizens' opinions affect your final decision?

24 MR. CAMPER: The comments that are being
25 made tonight, as well as the comments that are

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1 received on the action itself, are considered by the
2 staff as part of the overall process. We have a set
3 of regulatory criteria that we have to follow. We
4 have a review process that we have to follow. And
5 part of that process is gathering public comments.

6 Now, our rules, as we have said before
7 several times, do allow for a restricted release. The
8 question of cost-benefit has come up. Cost-benefit.
9 One of the things that -- and this is a technical
10 issue, but one of the things that we look at when
11 we're doing cost-benefit is it costs so much money --
12 I want to try not to get into stuff that's too
13 technical.

14 There is something called person rem,
15 person rem averted. That's exposure averted to a
16 person. In our regulatory technical review approach,
17 we use something called person rem averted, \$2,000 per
18 person rem averted. That is factored into the cost-
19 benefit analysis.

20 The idea behind the cost-benefit analysis,
21 principally, is to determine how much -- how low can
22 the dose be taken while using that \$2,000 person rem
23 averted? What does it cost to dispose of it? What
24 does it cost to transport it? What does it cost to
25 remediate the site? All the time considering you're

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1 trying to reduce dose.

2 What you're saying here, would we do -- of
3 course what you're saying here counts, and we will
4 consider everything that's being said here tonight.

5 MR. RAKOVAN: Hold on. Miss, could I have
6 your name, please?

7 MS. DeJOYA: Yes. Tammy DeJoya.

8 MR. RAKOVAN: Thank you, Tammy.

9 I'm going to go to this woman, please.
10 Yes, this one is better.

11 MS. LUSKO: My name is Christine Lusko.
12 I live about a mile from the site. Now, my question
13 to you is, if you lived one mile from the site, would
14 you be willing to pass this? Or would you want to
15 fight like we are and get it out? We don't want it
16 here.

17 And I'm sorry if I'm upset. I'm
18 emotional. I have a child that lives in this area.
19 We all have kids that live here. And you're telling
20 me that this is safe, and it won't hurt us, and we can
21 cap it, but in 1,000 years we're not going to be here.
22 And neither are you. So who is going to fight for us
23 in 1,000 years?

24 This should just not be here.

25 (Applause.)

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1 MR. McCONNELL: Thank you for your comment
2 and your sincerity. Again, our role is to review this
3 document and make sure whatever decision is made is,
4 one, sound technically, and, two, protects public
5 health and safety. As Larry indicated, that's our
6 role.

7 MR. MORNAHAM: I've got one question about
8 the wording "restricted" and "unrestricted."
9 Unrestricted means we could use the property, you can
10 do anything you want with it?

11 MR. McCONNELL: Correct.

12 MR. MORNAHAM: And restricted means the
13 property is of no use to anybody for thousands of
14 years.

15 MR. McCONNELL: It depends on what the
16 hazard is in that restricted --

17 MR. MORNAHAM: This particular piece of
18 restricted property.

19 MR. McCONNELL: Well, Robert, would you
20 like to -- I'll let Robert --

21 MR. MORNAHAM: In other words, we couldn't
22 use it for 1,000 years, right? Nobody could ever use
23 that piece of property.

24 MR. JOHNSON: For the eight acres that's
25 proposed for restricted release --

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1 MR. MORNAHAM: And you're planning on
2 capping it, or you're thinking about capping it.

3 MR. JOHNSON: I would say most of the
4 uses, you know, would be restricted.

5 MR. MORNAHAM: In other words, nobody
6 could ever use that for 1,000 years.

7 MR. JOHNSON: That's right.

8 MR. MORNAHAM: You couldn't build on it,
9 couldn't put a playground on it, you couldn't do
10 anything.

11 MR. JOHNSON: That's probably right. We
12 have to look at those restrictions in the dose
13 assessments, but --

14 MR. MORNAHAM: Basically, that's right.

15 MR. JOHNSON: -- basically, I think you're
16 right.

17 MR. MORNAHAM: Okay. I just have one
18 other question. The man that talked about the mark on
19 those: You said you didn't find what? I'm sorry.

20 MR. KALMAN: What I said was there's a few
21 of those on the site. They've been looking at that,
22 because there's a chromium contamination.

23 MR. MORNAHAM: A chromium contamination?

24 MR. KALMAN: Chromium has been an issue at
25 the site.

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1 MR. MORNAHAM: Chromium, like water.

2 MR. KALMAN: Well, I'm not sure.

3 MR. MORNAHAM: It's a Superfund site?

4 MR. KALMAN: It just had Chromium.

5 MR. MORNAHAM: Yes, that's Chromium.

6 MR. KALMAN: Well, when I say it's --

7 MR. MORNAHAM: We take from the package all
8 the way down.

9 MR. KALMAN: We've taken a limited amount
10 of samples from some of these falls whether there was
11 uranium showing up, and we did not find any uranium
12 exceeding --

13 MR. MORNAHAM: But what did you find?

14 MR. KALMAN: I don't recall the exact
15 amount, but it was -- it was a concern, but I don't
16 think EPA screening, which means --

17 MR. MORNAHAM: What about this time?

18 MR. KALMAN: I'm not sure.

19 MR. MORNAHAM: But there was something
20 found in the well? Something.

21 MR. KALMAN: Miniscule.

22 MR. MORNAHAM: Miniscule.

23 MR. KALMAN: Yes.

24 MR. RAKOVAN: All right. I'm going to
25 continue to go in the order, but I've seen people's

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1 hands go up. I'll get to everybody, I promise.

2 Sir, could you identify yourself, please.

3 MR. MCKEE: Yes. My name is Tom McKee,
4 and I have three questions. One on your last comment
5 about the groundwater quality for radionuclides. I
6 have here a document from the United States Geological
7 Survey who reviewed the available literature on the
8 site. And one of the statements made -- and this is
9 the New Jersey Water Science Center branch of the
10 USGS.

11 And here's a quote form the report.
12 "Water from monitoring wells in the vicinity of the
13 slag piles was screened for radioactivity. Gross
14 alpha levels were up to twice the U.S. EPA MCL for
15 radium-226 and radium-228 in drinking water, and from
16 several wells. Gross beta levels also exceeded the
17 EPA MCL by more than 10 times in water from one well."

18 So there is definitely an impact from the
19 radioactive waste at the site on the groundwater. And
20 this is only after 40 years of operation.

21 The report goes on to talk about the
22 soluble forms of radionuclides that are formed in the
23 slag pile over time and with acid rain over 1,000
24 years.

25 My other point is that --

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1 MR. McCONNELL: Could we get a copy of
2 that letter?

3 MR. McKEE: I brought an extra copy. I'll
4 give that to you.

5 The New Jersey Department of Environmental
6 Protection recently completed their source water
7 assessment for this area and published a report that's
8 available on the web, on their site, which states
9 clearly that the Newfield wells are highly susceptible
10 to radionuclide pollution, and that everything in the
11 well head protection areas, which includes the
12 Shieldalloy site, should be controlled for those types
13 of sources of pollution.

14 And I just had a question for you on the
15 costs that were provided by Shieldalloy in their
16 decommissioning plan. At the last public meeting we
17 were told that the \$5 million fund was not put aside
18 for the 1,000 years in terms of monitoring and
19 maintenance, but instead has been -- most of that
20 money will be used up in the initial construction of
21 the landfill, and only \$200,000 or so will actually be
22 put aside to generate \$19,000 a year for monitoring
23 and maintenance. Is that still the case, or has that
24 -- have those numbers changed since the last public
25 meeting?

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1 MR. McCONNELL: I'll let Robert answer the
2 second part. I would like to speak to the groundwater
3 issue.

4 MR. McKEE: Okay. Thank you.

5 MR. McCONNELL: Okay. I think any
6 mechanism that gets material offsite is going to be a
7 strong focus for our review. And to date we have had
8 no information provided that suggests that material is
9 leaching out of the slag pile into groundwater.

10 MR. McKEE: Are you saying you see no
11 monitoring well results that would indicate that?

12 MR. McCONNELL: That's the indication we
13 have right now. But we would like very much to get a
14 copy of the letter from the U.S. Geological Survey
15 that you have.

16 MR. McKEE: Okay.

17 MR. McCONNELL: Thank you very much.

18 MR. JOHNSON: For your question on the
19 financial assurance amount, we'll have to review their
20 estimates, but I'm -- I have the same information
21 right now after doing a quick review. The \$5 million
22 is in the decommissioning plan for the long-term trust
23 fund. So, you know, we'll have to kind of follow
24 up --

25 MR. McKEE: And are the construction costs

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1 on top of that?

2 MR. JOHNSON: Yes, as I understood what
3 they proposed. You raise a good question, and we'll
4 have to see that.

5 MR. McKEE: Okay. Because we were told
6 before by Ken that you were comparing \$38 million with
7 \$5 million. So now you're saying it's \$38 million and
8 \$10 million. Is that correct?

9 MR. JOHNSON: No. I'd clarify and say the
10 \$5 million for the trust fund is only one part of the
11 cost of decommissioning, the whole cost of
12 decommissioning the site. You have a disposal cost
13 and work done on the unrestricted areas, right? You
14 have the cost of constructing the cover, the labor to
15 do that. Those are other costs associated with
16 restricted use. The trust fund is a separate --
17 should be a separate line item in their cost estimate.

18 MR. McKEE: Okay. That was not the case
19 at the last public meeting. So I'm wondering --

20 MR. JOHNSON: Okay.

21 MR. McKEE: -- if things have changed
22 here.

23 MR. JOHNSON: And we'll look at that.
24 That's a good example. We want to hear --

25 MR. McKEE: Will there be another

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1 decommissioning plan made public based on the
2 modifications that you've worked out with Shieldalloy?
3 We've seen two drafts. Will there be another draft,
4 or how -- how will the public know what you're
5 actually reviewing?

6 MR. McCONNELL: At this point, we're
7 reviewing what's in the existing decommissions plan.
8 There will be, based on our review and perhaps as a
9 result of some of the comments that you and others
10 have made, requests for additional information.

11 MR. McKEE: Okay. So the existing plan
12 has it, and I have a copy of the sheet --

13 MR. McCONNELL: Okay.

14 MR. McKEE: -- that only \$5 million in
15 total is being provided by Shieldalloy for both the
16 construction of this 1,000-year landfill and its
17 maintenance and monitoring.

18 MR. McCONNELL: Okay.

19 MR. McKEE: Most of that money will be
20 used in the construction; \$250,000, and that's it,
21 will be provided for 1,000 years of monitoring and
22 maintenance according to this document. And you're --

23 MR. McCONNELL: Well --

24 MR. McKEE: I don't know why that wasn't
25 rejected out of hand.

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1 MR. McCONNELL: Well, thank you for the
2 comment. I mean, that's not our understanding of
3 what's in the document. Maybe we have a
4 misunderstanding. But, I mean, that's the purpose of
5 coming here and talking to you all, is to pick up on
6 these things. So thank you.

7 MR. RAKOVAN: I've got someone. Please
8 identify yourself.

9 MS. BROOKS: My name is Cindy Brooks. I
10 live in Vineland, so I just want you to know that, you
11 know, while I sympathize with Newfield, this is a
12 problem for the northern part of Vineland also. And
13 about the groundwater, I am a mom who uprooted her
14 family 25 years ago because of the chromium in my
15 groundwater.

16 There was a study done about 20 -- 15, 20
17 years ago by a private company from North Carolina.
18 It was I believe contracted by a group of citizens,
19 and at that point -- and I believe I might have a copy
20 of it at home, but at that point it had all of the
21 different minerals and materials that were in the
22 groundwater.

23 I have a comment aside from that. So I
24 just want you to know that groundwater has been a
25 problem here. And I am --

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1 MR. McCONNELL: Yes. Don't misunderstand.

2 MS. BROOKS: -- misinterpreting what --

3 MR. McCONNELL: We understand there is a
4 chromium issue, and the State of New Jersey and EPA
5 are looking at that.

6 MS. BROOKS: Okay. First of all, my
7 comment is that if you have grown up, as any of these
8 people have, under the water tower of the SMC, okay,
9 you'll know that the sins of this company are
10 extensive.

11 I have a question. What long-term medical
12 and health impact studies are going to be considered,
13 both past years and future years, due to the leaching
14 of soluble materials in our groundwater? Because
15 let's look around right now at each other, because we
16 can all -- we all know somebody who has contracted
17 cancer, died of cancer. I want to know, are the
18 cancer rates higher in this area? And are you going
19 to do a study on that?

20 MR. McCONNELL: Well, would you suggest
21 leaching in general?

22 MS. BROOKS: I know, I have a lot of
23 things.

24 MR. McCONNELL: We look at specifically
25 the leaching of material from the Shieldalloy site,

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1 and that would be the focus of our review. Any
2 broader focus on leaching of other minerals from the
3 rocks that the water flows through would be the
4 purview of the State of New Jersey. You know, our
5 focus is is the leaching from the baghouse dust and
6 the slag that's onsite.

7 MS. BROOKS: Would that be those beautiful
8 little orange particulates that when Shieldalloy used
9 to put their lights on at night would float through
10 the air? Is that the bag dust that you're talking
11 about, the particulates that we inhaled? For how many
12 years? Were they radioactive?

13 MR. McCONNELL: They were probably -- we
14 have requirements that regulate the releases from a
15 facility. I wasn't, you know, here. I wasn't
16 involved. But --

17 MS. BROOKS: And I'm not trying to lay the
18 blame on you. I want you to be aware of the things
19 that we have lived with since 1955 in the shadow of
20 this company. And with so many violations that they
21 have incurred in the past 50 years, this is a company
22 that when they close they are to be trusted? They
23 couldn't be trusted when they were open.

24 (Applause.)

25 MR. McCONNELL: Thank you.

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1 MR. RAKOVAN: Okay. I'm going to try to
2 get to some of the hands that I saw up earlier. Sir,
3 if you could identify yourself, please.

4 MR. ZUMANIK: Sure. My name is Paul
5 Zumanik. And my question to you gentlemen and ladies
6 up there -- I've been here for over two hours, and you
7 guys say you haven't made a decision what's going to
8 go on. But not once have I heard come out of your
9 mouth that you may require this company to remove this
10 slag pile from this town. Not once. And you say you
11 didn't make your mind up yet. Are we going to get
12 even that from your mouth maybe, that you --

13 MR. McCONNELL: Basically, what we're
14 doing is evaluating the proposal that's before us at
15 the licensee. And I think the answer to your question
16 is we, under our regulations, have a process that
17 allows for restricted use as we have described.

18 MR. ZUMANIK: And your regulation stinks.

19 MR. McCONNELL: Thank you for your
20 comments.

21 (Applause.)

22 MR. RAKOVAN: Miss, if you could identify
23 yourself, please.

24 MS. WEINERMAN: Martha Weinerman, and I'm
25 a resident of Newfield. I have been here for over 40

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1 years. And I want to ask you gentlemen if you would
2 review the history of this company wherein the
3 residents of Weymouth Road suffered innumerable health
4 conditions for a number of years, and the city of
5 Vineland had to provide water service for the
6 residents of Waymouth Road that is so close to the
7 Shieldalloy fence.

8 A lady over there had a comment about the
9 chromium. It wasn't until the city of Vineland was
10 forced to bring water in to those residents, and also
11 other residents that are off of Arbor Avenue in the
12 vicinity of LT, where the little stream that runs
13 underneath Shieldalloy carried the chromium to their
14 wells, and they, too, had to be provided city water
15 from the city of Vineland.

16 We have lived with the dirt and the
17 explosions in the middle of the night that came from
18 Shieldalloy. The fallout from the air, the
19 particulates that cover all of our homes, our cars,
20 our yards, and there are many, many homes in the city
21 -- in the burrough of Newfield that have been filthy
22 dirty for a number of years because of their fallout
23 and their hidden things that they did in the dark of
24 night.

25 And they would do them in the dark of the

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1 moon, because you would wake up in the night and you
2 would hear explosions of what was going on, and then
3 wake up in the morning and find black dirt and all
4 kinds of particulates on your car, on your house, and
5 everywhere else.

6 I would hope that when you are reviewing
7 their decommission process that you would review the
8 history of this company and take a good, hard look at
9 what they have done in the past, because they are only
10 going to continue in the future.

11 Thank you.

12 (Applause.)

13 MR. RAKOVAN: Sir, if you could identify
14 yourself, please.

15 MR. NESS: My name is John Ness. I live
16 at 108 Woodlawn Avenue in Newfield. You talk about
17 the acceptable exposure rates that the NRC deems
18 acceptable. How do we know that they're going to stay
19 in effect 900 years from now? How do we know they're
20 not going to be inappropriate at that time? And how
21 are we going to pay for that? Number one.

22 Number two, the NRC -- it's my
23 understanding that while the slag pile was being
24 created over the years it was Shieldalloy's
25 responsibility to set aside certain sums of money to

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1 deal with that at their closing. Is that true, or is
2 that not true?

3 MR. McCONNELL: I'll let Robert address
4 the latter part of your question.

5 MR. NESS: Okay.

6 (Laughter.)

7 MR. RAKOVAN: Robert, do you want to
8 address the second part of the question?

9 MR. McCONNELL: I think we may not have
10 the right person here to answer that latter part of
11 your question. Those matters are addressed by people
12 who review the financial assurance, and we're
13 basically scientists and engineers here at this point.
14 But we have to --

15 MR. RAKOVAN: Could we get him a contact?
16 Could we get him a contact, so he could at least talk
17 to someone to get his question answered? Is that --

18 MR. McCONNELL: Well, I think if he wants
19 to provide us a specific question, we can get back to
20 him directly. If that would work.

21 MR. NESS: Well, I guess my point is that
22 if you're not paying attention to what has happened in
23 the past, how the heck are you going to monitor these
24 people in the future? I mean, the mechanism was in
25 place while the slag pile was being created. And

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1 you've never dealt with that. Why? You know, why are
2 we doing that?

3 And the other lady -- this lady right here
4 -- was talking about the emissions for Shieldalloy
5 Corporation. I remember as a kid, Rick and everybody
6 else in Newfield, it was like clouds. We used to ride
7 through clouds in Newfield with the headlights on, so
8 people could see you coming the other way. It was
9 incredible.

10 And all the people that complained,
11 Shieldalloy bought their houses out. Mrs. Whitacre on
12 Waymouth Road, the Sevidio property on the Boulevard,
13 and many other properties, if you complained, they
14 bought -- at your death, because most of your people
15 suffered from cancer, they bought the properties to
16 eliminate any more problems.

17 But like I said, my biggest concern is
18 right now we're -- you're accepting what is being
19 proposed as acceptable dosage rates. How do we know
20 in 900 years that they're going to be acceptable?

21 The other thing is, one time Shieldalloy
22 came with the chromium problem, and they had to put
23 the monitoring wells in through North Vineland. The
24 lady said the city of Vineland had to provide the
25 water. In reality, it was Newfield that provided a

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1 lot of the water along there.

2 I'm really concerned about the fact that
3 we're not taking care of ourselves. In other words,
4 you're not taking care of Newfield. We don't even
5 know what's going on. We were never on your mailing
6 list until the Mayor and other people complained. We
7 were the third party out. You were notifying each
8 other and talking to a third party, but we never knew.

9 So we want to be informed. We want to
10 know what the heck is going on here in the burrough of
11 Newfield. You guys have been lax, but we hope that
12 you -- in the future you're going to be more
13 headstrong, and, you know, keep us in the focus. Do
14 you understand what we're saying?

15 MR. McCONNELL: Absolutely. And, you
16 know, this meeting and the meeting next week and
17 subsequent meetings are all designed to make contact
18 with you here in the community.

19 MR. NESS: I kind of lost my train of
20 thought with the chromium thing. At that time, I
21 stood up and I requested a cancer cluster study,
22 because at the time my father suffered from bladder
23 cancer, and there was five people around us -- my Aunt
24 Zoey was one of them -- in an area that all their
25 families suffered from bladder cancer at the same

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1 time.

2 So at that meeting -- and I remember it
3 was at the old Burrough Hall -- I asked for someone to
4 do a cancer cluster study. The old administration --
5 no, no, we don't want to do that, because of the low
6 property values. Nothing ever came of it. The lady
7 from the state gave us -- gave us her card, and she
8 said, "Call me." I called.

9 The problem with the state is its
10 revolving door. You talk to someone today. Next
11 month there is someone else in that position. We need
12 to have a cancer cluster study done in the burrough of
13 Newfield before you guys make your determination as
14 far as the decommissioning process.

15 Thank you.

16 (Applause.)

17 MR. McCONNELL: Lance, just one comment.
18 Again, we're looking at the radiological hazard. We
19 understand that in the community there is also the
20 issue of the chromium contamination. But that is,
21 again, a matter of the state, and I think you were in
22 part talking to the state in your comments in that
23 regard.

24 MR. RAKOVAN: I had a question in here
25 that I wanted to get back to. There was a hand up

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1 earlier.

2 MR. PETROVICH: Hi. Peter Petrovich. Is
3 Shieldalloy proposing eight acres of an impermeable
4 ground cover? And, if so, where does the stormwater
5 go? And whose purview would that fall under?

6 MR. McCONNELL: I'm sorry. Could you
7 repeat your question?

8 MR. PETROVICH: Is the cap impermeable
9 ground cover, does the rainwater roll off it?

10 MR. JOHNSON: Shieldalloy's proposal for
11 the cap --

12 MR. PETROVICH: Yes.

13 MR. JOHNSON: -- isn't impermeable. And
14 part of their logic -- they have to justify that, but
15 part of the logic goes back to, will the waste slag
16 leach or not? Now, they are proposing that it won't
17 leach. And if that's true -- and I'm not saying it is
18 -- okay, because that is a key issue that we'll
19 review, but if that slag doesn't leach, you can put as
20 much water through it as you want.

21 So the cap in that case, okay, just in
22 that case, that assumption, the cap would not have to
23 be impermeable. That's one of the key issues. You
24 have to look at how the slag will perform. And then,
25 if it could leach, then your engineered barriers would

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1 need to be an impermeable cover. We call it an
2 infiltration cover, which is used for some other sites
3 that may need that.

4 So currently their proposal is not to have
5 a cover that's impermeable, because they believe they
6 don't need that part of the engineered barrier.

7 MR. PETROVICH: Okay. So what does the
8 cap consist of? It's there to prevent radiation from
9 escaping?

10 MR. JOHNSON: It's two things. It's
11 around a three-foot layer of soil that provides a
12 shielding cover to prevent the radiation, you know,
13 the direct exposure of radiation. That's the first
14 thing it does, and that's how exposure is limited --
15 by putting a shielding cover on it of three-foot of
16 material.

17 Now, they also will have a rip rap, a rock
18 cover on top of that shield, and that's to keep the
19 shielding there. That's to stabilize it. So if you
20 had a major precipitation event, a hurricane or
21 whatever, okay, that cover -- that shielding layer
22 would not erode. Gullies wouldn't form and expose the
23 waste. So the rock layer is to protect the shielding
24 and keep it in place.

25 MR. PETROVICH: Okay. Thank you.

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1 AUDIENCE MEMBER: So the water goes into
2 the --

3 MR. RAKOVAN: Sir? Sir, if you could --

4 AUDIENCE MEMBER: Oh, I'm sorry.

5 MR. RAKOVAN: -- please.

6 AUDIENCE MEMBER: Just to clarify, the
7 rain passes through the radioactive waste into the
8 groundwater, is that correct, as designed by
9 Shieldalloy?

10 MR. JOHNSON: Because of the shape of the
11 pile, you're going to get a certain amount of runoff
12 of the rainfall. But there also will be infiltration
13 of a certain amount of that rainfall. That will go
14 through the slag, and, of course, go into the ground
15 just like rain would.

16 AUDIENCE MEMBER: So it's designed to
17 discharge to groundwater.

18 MR. JOHNSON: With their assumption that
19 the slag won't leach no matter how much water is going
20 by. I'm just trying to make those connections. And
21 they have to justify the test.

22 AUDIENCE MEMBER: Is there any material
23 that doesn't leach, that you know of, on the face of
24 the earth?

25 MR. JOHNSON: I'm not a geochemist. I

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1 couldn't answer that.

2 AUDIENCE MEMBER: I'm asking you from your
3 personal knowledge, do you know of any material that
4 doesn't leach?

5 MR. JOHNSON: I can't answer that.

6 AUDIENCE MEMBER: You have no knowledge
7 about leachability of materials?

8 MR. JOHNSON: No, I don't personally.

9 AUDIENCE MEMBER: Is there an expert on
10 your staff who could answer that question?

11 MR. McCONNELL: We have geochemists --

12 AUDIENCE MEMBER: Okay.

13 MR. McCONNELL: -- who actually look at
14 that. And I think I mentioned before there is
15 actually an independent analysis done on the stability
16 of slag -- slag, excuse me -- in these conditions.
17 And, of course, the leaching is related to a number of
18 factors, and all of those factors were considered in
19 this analysis.

20 It's actually a NUREG that -- I'm sorry,
21 a publication that the NRC has made which we call
22 NUREG. It's a NUREG guide. And we could get you that
23 document if you're interested.

24 AUDIENCE MEMBER: Did you say new rate
25 document?

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1 MR. McCONNELL: I'm sorry. It's --

2 MR. RAKOVAN: NUREG. It's just an
3 abbreviation.

4 MR. McCONNELL: Yes. It's N-U-R-E-G.

5 AUDIENCE MEMBER: Oh, okay.

6 MR. McCONNELL: And then there's a number.

7 AUDIENCE MEMBER: Did Shieldalloy provide
8 you with leachability analysis for the waste material
9 that they will be passing rainwater through?

10 MR. McCONNELL: I'm told that, yes, they
11 did.

12 AUDIENCE MEMBER: And could you give us a
13 summary of those results, or --

14 MR. McCONNELL: I couldn't. I don't have
15 that level of information.

16 AUDIENCE MEMBER: Did it show that there
17 was zero leachability?

18 MR. McCONNELL: Robert, can you answer
19 that question, or --

20 MR. JOHNSON: It's over-technical.

21 MR. RAKOVAN: I think we're getting a
22 little too detailed in the information we --

23 AUDIENCE MEMBER: Okay. Thank you. Thank
24 you very much.

25 MR. RAKOVAN: I've got a woman who has

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1 been waiting to comment back here, so I'd like to get
2 to her if possible. Miss, if you could identify
3 yourself, please. And if we could all please give her
4 our attention.

5 MS. PENNINO: My name is Dawn Pennino. I
6 am a resident of Newfield. Last month we had a
7 meeting in the burrough. The legislators attended,
8 and this was a very, very large part of the discussion
9 was the Shieldalloy decommissioning.

10 At that meeting it was brought to our
11 attention that the NRC makes a -- I guess it's a
12 regulation that you have to -- the facility would have
13 to periodically remove waste from the site. However,
14 this has not been done in 20 years. Is there a
15 reasoning that you can give to all of us why, in 20
16 years, this pile has gotten as large as it has become
17 for us to have to deal with? Because now it is at a
18 point where they're saying they can't remove it,
19 because it's going to cost them too much money.

20 So it's going to leave us to deal with it.
21 But if they had periodically been removing it, like
22 you state on your website that they should be, is
23 there a reason why it has not been enforced that they
24 periodically remove the slag?

25 MR. McCONNELL: I'm not aware of any

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1 regulation that requires them to release. But I'll
2 let -- maybe Rebecca can --

3 MS. TADESSE: Within their license they
4 are allowed to have a possession limit. And as long
5 as they do not exceed that possession limit they are
6 not required per se to have to remove it. And they
7 have always been under their possession limits in
8 terms of the concentration, so they -- within their
9 license they were allowed to have possession of the
10 material.

11 MR. DYE: Well, why were they allowed to
12 possess so much?

13 MR. RAKOVAN: Sir? Sir, if you have a
14 question, can you please speak into the microphone?
15 Can you identify yourself, please, so we can get it on
16 the transcript?

17 MR. DYE: My name is Thomas Dye. I'm a
18 resident of Newfield. So why was the limit of their
19 possession set so high that they can accumulate this
20 stuff for 20 years and not exceed their limit?

21 MR. RAKOVAN: Do we have someone who can
22 address that?

23 MR. McCONNELL: Well, we weren't around
24 when the limits were set. But at that time, I'm sure
25 that it was deemed to be safe in terms of how much

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1 they could possess onsite without causing some impact
2 offsite. And, again, that's radiological impact.

3 MR. RAKOVAN: Okay. I've got a couple
4 hands of people who have not made comments yet. I'd
5 like to get to the people who haven't made comments
6 yet. Sir, I'll see if I can find a way to you. If
7 you could identify yourself, please.

8 MR. McCOUCH: My name is Ken McCouch. In
9 your analysis, in talking about the rainfall, will you
10 be looking at the effects of acid rainfall in
11 different concentrations on that slag pile?

12 MR. RAKOVAN: Certainly, the chemical
13 makeup of the rain entering the slag and its potential
14 to leach the slag pile, and its potential to leach
15 material out of that slag, would be a component of our
16 analysis, because, again, the focus is any mechanism
17 that can move the material offsite to expose the
18 public is going to be a focus of our review.

19 MR. McCOUCH: But looking at different
20 concentrations of the acid content of the rain --

21 MR. RAKOVAN: Sir, if you could start with
22 your question, again -- I'm sorry -- so we can get it
23 on the transcript.

24 MR. McCOUCH: But will you be looking at
25 different concentrations, depending on what happens in

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1 the environment?

2 MR. McCONNELL: I think, yes, that will be
3 part of our analysis in terms of what can be expected
4 in terms of the change in the chemical makeup of the
5 water entering the facility.

6 MR. RAKOVAN: Sir, if you could identify
7 yourself. And if we could all please give him your
8 attention.

9 MR. YACOVELLI: My name is Albert
10 Yacovelli. My question is: what exactly is this
11 company worth now?

12 MR. McCONNELL: I don't know that we have
13 that information. I think that would be a question
14 for Shieldalloy.

15 MR. YACOVELLI: Well, here's -- I think
16 you guys are just on the tip of the iceberg with this
17 company, because there is a -- there is other issues
18 that, if you look at those pictures of that slag,
19 there was equipment that made it. Now, what happens
20 to the decommissioning of that contaminated equipment?
21 And where are they going to store it?

22 MR. McCONNELL: It's my understanding that
23 the equipment has been removed -- decontaminated and
24 removed from the site, particularly like the material
25 that melter -- the melter has been removed from the

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1 site. It was first decontaminated and then removed,
2 as some of the existing buildings have been
3 decontaminated to this point that are now basically
4 available for other uses. Did that answer your
5 question?

6 MR. YACOVELLI: No, because who -- who
7 actually physically goes there and examines these
8 buildings?

9 MR. McCONNELL: First, Licensing is
10 responsible for decontaminating them, and then we do
11 our own confirmatory inspections to make sure that
12 basically what they've done satisfies our
13 requirements. So we follow up. They do their own
14 analysis. We review it, and we go back out and do our
15 own independent analysis.

16 MR. YACOVELLI: All right. The dust
17 they're talking about, where is this dust stored? Is
18 this dust stored in with the slag, or is it stored in
19 a building?

20 MR. McCONNELL: Right now it's stored with
21 the slag. I think Ken had a photograph that showed
22 some of the white bags that were out there near the
23 slag pile. And if you go out and visit the site, you
24 can -- there is a distinct difference in how they --
25 how they look.

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1 MR. YACOVELLI: Are we, the public of
2 Newfield, going to be able to tour this facility?

3 MR. McCONNELL: I think you should talk to
4 -- if you're interested, you should talk to
5 Shieldalloy.

6 MR. YACOVELLI: Okay.

7 MR. McCONNELL: I mean --

8 MR. YACOVELLI: Well, they take you where
9 they want to take you. But the one building I know
10 for a fact, on Waymouth Road side, is filled with
11 dust. The biggest, tallest building over there was
12 the bag route.

13 Now, here's another one for you. There
14 was a guy back there with a rock crusher, and that
15 left the area. So what happens in the future if these
16 people find out it came from us and they want to bring
17 it back?

18 MR. RAKOVAN: Before they let that piece
19 of equipment offsite, they need to decontaminate it to
20 make sure that the residual radioactivity on that
21 piece of equipment was not going to be a significant
22 threat to health and safety. So it should not be
23 coming back in terms -- in that term.

24 MR. YACOVELLI: I'm not talking about
25 that. There was a guy back there crushing that slag

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1 and trucking it out of there. What about in the
2 future if they find out it came here, if they want to
3 bring it back?

4 MR. McCONNELL: Well, if there is slag
5 that has moved offsite, the licensee is responsible
6 for collecting that material and bringing it back
7 onsite.

8 MR. YACOVELLI: So now you don't know what
9 the company is worth, they already polluted the water,
10 they left us a pile of slag to get rid of, and we
11 don't know even if we're going to get buyer beware
12 pamphlets for our property.

13 MR. McCONNELL: But let me clarify. Our
14 review will look at all of those aspects. Again,
15 we're at the very beginning stages. You guys are
16 raising very pertinent questions, and these are issues
17 that certainly we don't have all the answers to,
18 because we don't have all of the right -- all the
19 people that will do the review here.

20 But, in essence, all these things are
21 going to be part of our review. And, again, that's
22 why we're here.

23 MR. YACOVELLI: Well, what kind of legal
24 action can we take against Shieldalloy Corporation?
25 Can we freeze their assets, so that we have money?

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1 MR. McCONNELL: Those are matters outside
2 our purview. I think those are things that the town
3 and the community need to pursue. Again, our role is
4 to look at what Shieldalloy has proposed and ensure
5 that if it goes through that it's safe. And that's
6 our intent is, and I think -- again, I'll reiterate,
7 a two-year review process is a very rigorous and
8 thorough review. And that's what we're telling you
9 we're going to do.

10 MR. RAKOVAN: Okay. I'm going to go to
11 some people who we haven't heard from yet. Miss, if
12 you could introduce yourself, please.

13 MS. NEGOCKY: Good evening. My name is
14 Jane Negocky, and I represent the New Jersey
15 Environmental Federation. It's a statewide
16 organization, and I'm here tonight to support the
17 residents in the call for a permanent cleanup that
18 removes all of the contamination from the site.

19 I think over and over again you've heard
20 from the elected officials, from Mayor Westergard,
21 from Senators Menendez and Lautenberg, from the
22 Assemblymen and Senators from the district, that there
23 is a strong preference for a permanent remedy that
24 protects the health of the people that live here. For
25 too long they've had to endure the pollution from

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1 Shieldalloy, and to leave it onsite and permanently
2 contaminate that land is unconscionable.

3 I just want to ask the NRC, do they share
4 the federal EPA's preference in the cleanup of a site
5 for a permanent remedy? Do you have anything on the
6 books, in your regulations, that are this deep that
7 actually favors a permanent remedy as the remedy of
8 choice?

9 MR. McCONNELL: Well, again, our permanent
10 remedy is that whatever is done is safe. So in that,
11 I think we agree with EPA.

12 MS. NEGOCKY: But what I mean is -- by a
13 permanent remedy is removal of the contamination. In
14 other words, in the hierarchy of values, of what is
15 most protective of human health, removing the
16 contamination away from human ecology and the
17 groundwater would be the most protective, right?

18 Barring that, then, separating people from
19 the contamination would be the next best. But,
20 obviously, the best is to remove the contamination
21 entirely. Does the NRC have a preference for that
22 kind of permanent remedy?

23 MR. McCONNELL: Our preference is that
24 they meet our dose limits, which are based on an
25 international and national consensus of what's safe.

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1 And if Shieldalloy cannot demonstrate that they can
2 meet those dose limits, then they're going to have to
3 come in with a different proposal that meets them.

4 MS. NEGOCKY: Well, I just have to differ
5 with that value, that you don't value and have as a
6 hierarchy or a criteria a permanent cleanup as the
7 method of choice, as a best practice.

8 MR. McCONNELL: We value public health and
9 safety. And whatever method meets those values, which
10 is public health and safety, as expressed in our
11 regulations by the dose limit, is where we believe we
12 should be.

13 MS. NEGOCKY: All right. Let's go to
14 those doses. I don't think that you would speak to
15 any physician or any health expert that would agree
16 that any level of radiation is safe. Any exposure to
17 radiation increases your risk of cancer, because
18 radiation is a cumulative effect. It's a known
19 toxicant to cause cancer. And so when you say it's
20 safe, it meets our allowable doses, there is an
21 increased risk with your allowable doses.

22 What is that risk? Is it one additional
23 cancer case in a million? Is it one additional cancer
24 case in 10,000? Is it one in 100,000? What are these
25 doses that you're allowing here as safe? The 100

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1 millirems and the 25 millirems, what additional cancer
2 cases per million does that incur in this community?

3 MR. McCONNELL: Okay. I'm not qualified
4 to speak to those specific questions, but all I can
5 say in response is that our dose limits are aligned
6 with the international and national standards on what
7 is determined to be a safe level of radioactivity.
8 And I have to remind you that people are exposed to
9 radioactivity every day.

10 MS. NEGOCKY: But the fact that they're
11 exposed every day doesn't mean that they should be
12 exposed to more. And, again, you cannot really make
13 the claim that any radiation dose is safe. The EPA
14 has a range of risk that they, you know, considerable
15 acceptable risk between 1 in 1,000,000 and 1 in
16 10,000. What I want to know is, what is your
17 acceptable range of risk? And what are you going to
18 impose on this community?

19 MR. McCONNELL: Our range of risk -- EPA
20 also has dose limits that they us. So EPA uses both
21 a risk range and a dose limit. We use dose limit. So
22 there's not that much difference between the EPA
23 approach in terms of certain radionuclides in our
24 approach.

25 MS. NEGOCKY: In other words, your range

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1 will also range in risk from 1 in 10,000 to 1 in
2 1,000,000, is that what you're saying?

3 MR. McCONNELL: Again, you know, I'm not
4 a risk expert, so I can't really address that specific
5 question.

6 MS. NEGOCKY: Well, I think this community
7 deserves that answer. If there is contamination left
8 in place that emits 25 millirems per year, or 100
9 millirems per year, I think this community has a right
10 to know what additional risk of cancer that imposes on
11 the community.

12 And I think the community's preference
13 would be they don't want any additional risk of
14 cancer. They don't want any dose emissions coming
15 from that site. And my question is: right now, does
16 the NRC regulate what's coming off that site at this
17 point? Is this company in violation right now with
18 that slag heap there? What is the radioactive
19 emissions from it currently? And are they in
20 compliance?

21 MR. McCONNELL: They are -- they are in
22 compliance, based on our inspections. And one of them
23 you saw where our own inspectors go out and validate
24 what the licensee says they -- their readings are at
25 the boundary of the facility. And, again, you know,

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1 our regulations are protective. And there's a -- this
2 is not Keith McConnell telling you this. This is an
3 international and national agreed-upon level. So it's
4 not Keith McConnell that's saying that.

5 MS. NEGOCKY: I just have one more. Well,
6 I want to finally ask if you've calculated out, if the
7 cost of this cleanup is \$50 million, you know, for an
8 entire cleanup, and that is costed over 1,000 years,
9 isn't that worth it to this community?

10 MR. McCONNELL: I'm not sure I understand
11 your question. I think the \$50 million was for
12 removing the material and disposing of it at --

13 MS. NEGOCKY: It would be done once and
14 for all. You wouldn't need annual maintenance, you
15 wouldn't need, you know, annual testing for the next
16 1,000 years, people wouldn't have to worry, you know,
17 was it leaking onto the groundwater, which is their
18 drinking water. It seems to me that that cost of
19 \$50 million, considering there is 1,000 years of
20 potential problems with this site, is well worth it.
21 And that's just my final comment.

22 AUDIENCE MEMBER: Well, all of those
23 problems will be part of our analysis. So thank you
24 for your comments.

25 MR. RAKOVAN: Thank you. Miss, if you

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1 could introduce yourself, please.

2 MS. PANELLO: Diane Panello. I'm a
3 resident of Newfield. As a taxpayer and a resident,
4 I believe our town would like to know if -- who would
5 be responsible for the cleanup if monetarily
6 Shieldalloy would become bankrupt? And who would be
7 responsible to check on their financial status? So
8 that we would know if the taxpayers would become the
9 people that would be responsible for the site.

10 MR. JOHNSON: Going back to financial
11 assurance, that is part of our review. That's our
12 responsibility -- to review the proposal for the trust
13 fund, make sure it's sufficient financial assurance.
14 That's one of our requirements. And you're right, you
15 have to monitor that trust fund, you know, over time.
16 It's just not today when we review the decommissioning
17 plan, but you would need to -- I think I mentioned the
18 five-years reviews and five-year license renewals that
19 NRC would do.

20 And we would look not only at the -- like
21 the controls or the cover, but we would also look at
22 the financial assurance and make sure that that is
23 remaining sufficient.

24 MS. PANELLO: But if they couldn't handle
25 it, like the cleanup supposedly, if we get the cleanup

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1 all perfect, what would happen? Would they go
2 bankrupt, and then the state would come in and say,
3 okay, let's see what we're going to do with this?

4 MR. JOHNSON: Well, if they -- if they
5 were to leave it onsite with restrictions, that trust
6 fund, the money set aside, would be for the monitoring
7 and maintenance. If they were leave, like I said
8 before, then NRC, being the licensee, would have to
9 either obtain another owner licensee or obtain a
10 contractor to continue the work that's needed, using
11 the money in the trust fund.

12 So that the requirement for sufficient
13 financial assurance in our regulation is a key
14 requirement, and that's a key part of our review. And
15 the comments that we've heard tonight support that,
16 and that's why the requirement is in our regulations.
17 And that's why it's so important.

18 MS. PANELLO: But you're assuming that
19 there is going to be that money there for them to put
20 in the trust fund.

21 MR. JOHNSON: That's right. Otherwise,
22 their proposal would not be approved.

23 MS. PANELLO: Thank you.

24 MR. RAKOVAN: Okay. I've been told that
25 we do need to finish up at 10:00. So having said that

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1 I want to make sure that we open the floor to people
2 who have not had questions, or people who have not
3 made comments.

4 AUDIENCE MEMBER: We filled out a yellow
5 card, and they weren't called --

6 MR. RAKOVAN: I've got yellow cards right
7 here. I decided to go -- since I saw hands going up,
8 I decided to go with the questions from the crowd.

9 AUDIENCE MEMBER: (Inaudible comment from
10 an unmiked location.)

11 MR. RAKOVAN: I'm aware that this is a
12 public meeting, but I was not going to tell someone
13 that they weren't allowed to ask a question when they
14 were looking at me and they had their hand up. If you
15 don't agree with that decision, I apologize. But I
16 had to go one way or another.

17 That is why I'm asking right now --

18 AUDIENCE MEMBER: (Inaudible comment from
19 an unmiked location.)

20 MR. RAKOVAN: Miss, please give me the
21 opportunity to speak. I am opening the floor right
22 now to someone who -- anyone that has not asked a
23 question or not made a statement to please put up your
24 hand now and I'd be more than happy to give the mike
25 to you.

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1 Okay. Miss, if you could identify
2 yourself, please. Certainly -- you can certainly use
3 the podium.

4 MS. GARDNER: Good evening. My name is
5 Pat Gardner. I'm the manager of the Bureau of
6 Environmental Radiation in the Department of
7 Environmental Protection. And I was going to raise my
8 hand, Loretta, but thanks for intervening.

9 The Department has begun a detailed
10 analysis of Shieldalloy's decommissioning plan license
11 amendment request, and the following are some of our
12 general concerns to date. The incorporation of the
13 long-term control license within the guidance
14 document, NUREG-1757, the Department does not feel is
15 appropriate. This is a major change in NRC policy to
16 avoid the proliferation of small waste disposal sites
17 and thus reduce perpetual surveillance obligations.

18 Earlier tonight the NRC compared the long-
19 term control license to controls at uranium mill
20 tailing sites. But the long-term control license is
21 inconsistent with the NRC's technical criteria for
22 disposal of uranium mill tailings. These criteria
23 specify that the primary concern, first and foremost,
24 is remoteness from populated areas.

25 Although the slag pile is not considered

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1 mill tailings, the radionuclides associated with the
2 Shieldalloy slag are similar both in type and
3 concentrations. The long-term control option is
4 supposed to be a last resort. It's the Department's
5 opinion that cost is not a last resort, especially in
6 light of the fact that there has been no full
7 financial disclosure of Shieldalloy or its parent
8 company Metallurg.

9 New Jersey is preparing to become an
10 agreement state, which means that the state will have
11 regulatory authority over the Shieldalloy material in
12 approximately two years if the NRC determines that our
13 rules are adequate and compatible. Considering that
14 states are allowed to be more stringent regarding
15 their decommissioning regulations, New Jersey rules
16 will not allow for this type of engineered barrier.

17 And, finally, the state has not determined
18 if it will accept the material at Shieldalloy for
19 ownership control or third-party oversight. So we
20 don't believe that the NRC can accept a
21 decommissioning plan if the state has not made a
22 decision.

23 Thank you.

24 (Applause.)

25 MR. RAKOVAN: Thank you.

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1 AUDIENCE MEMBER: Over here. Over here.

2 MR. RAKOVAN: Miss, do you want to come to
3 the podium, or would you like the mike? If you could
4 identify yourself, please.

5 MS. GOODMAN: My name is Jenny Goodman.
6 I'm also with the Department of Environmental
7 Protection. We are very early in our review process
8 as well, but here are just a few concerns that we
9 would like the NRC to consider.

10 The source term for the input into the
11 dose models assumes that the baghouse dust, remediated
12 soil and slag, are all mixed together. The
13 concentration of nuclides in the slag is 400
14 picocuries per gram. The derived source term where it
15 is assumed to be mixed that's used in the dose model
16 is 182 picocuries per gram.

17 Since the vitreous slag cannot be mixed
18 with the soil or the baghouse dust, this source term
19 is not conservative.

20 Shieldalloy eliminated the drinking water
21 pathway from their dose assessment. The state
22 designation for this aquifer is Class 2A, which means
23 that it can be used as drinking water. NRC guidance
24 cannot override the state's interpretation of its own
25 groundwater.

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1 There is no justification for eliminating
2 this pathway. Also, it is unreasonable to assume that
3 a municipal source of drinking water would be
4 available in perpetuity.

5 And just for the record, the half-life of
6 thorium is 14 billion years.

7 And I just had one question. If the NRC
8 gets one year to review the decommissioning plan with
9 its teams of experts, why does the public only get 60
10 days?

11 (Appause.)

12 MR. McCONNELL: We appreciate the state's
13 comments. But just in reference to the last
14 statement, the 60 days is to request a hearing, and
15 that's specifically within our regulations in terms of
16 the formal hearing process for these types of actions.
17 What we've indicated in one of our viewgraphs is, if
18 you submit comments up until March 17th, which is a
19 six-month period of time, then what we can do is have
20 the time to think through those comments and respond
21 to them, and still meet our milestone of a year's
22 review.

23 So that's -- it's more a six-month period
24 of time to get comments from the state and others, and
25 certainly any time in the process we'll accept

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1 comments. But in order for us to include them in the
2 development of our safety evaluation report, we'd like
3 to have them by March 17th.

4 MR. RAKOVAN: Yes, please.

5 MS. GOODMAN: Do we then get to review the
6 safety analysis report?

7 MS. TADESSE: I think throughout the EIS
8 process you would look at what is input into the
9 safety evaluation report. But in our process that's
10 not something that we -- it goes out as a draft. But
11 in the -- but there is an EIS process that would --
12 everything that's going in from the safety evaluation
13 report would be incorporated into that, so the draft
14 you will be able to look at.

15 MR. RAKOVAN: Did that address all of your
16 questions? Okay.

17 Sir, could you identify yourself, please?

18 MR. RUPERT: My name is Tom Rupert.

19 Excuse me. I have a sinus problem.

20 I've been a resident of Newfield since 19
21 -- I think I moved here in 1946, on Dulcey Drive. My
22 mailing address was Newfield, but that encompassed
23 everywhere around here at one time.

24 I moved to Strawberry Avenue when I got
25 married, and that was in 1962. Since then, numerous

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1 people in the area have died with cancer -- my
2 brother-in-law, his son, pancreatic cancer, the next-
3 door neighbor, which is downwind of them. We can't
4 say that it was caused by them, but I think everybody
5 that's in here has a legitimate question when it comes
6 to, is there a concentration of cancer in the area?

7 The wells is another problem that could be
8 -- maybe it's not even related to the radiation, what
9 you guys are concerned about. You are only concerned
10 about the nuclear end of it. I think there's a
11 concern about the groundwater, which the EPA should be
12 involved with, because you're talking about this
13 material being drained on the groundwater.

14 If this was to be an only alternative
15 being here, at a minimum, just for putting our own
16 garbage in the ground, we have to have lined disposal
17 areas for our garbage from our towns. And if he's
18 from the EPA, he knows what I'm talking about. They
19 do have liners that stop the material from draining
20 into the soil.

21 Kinsley Land Dump didn't have it. The
22 State of New Jersey stuck with that. I live on Arbor
23 Avenue, which they had to put water into there,
24 because Shieldalloy polluted the wells in the area.
25 Spring Hill just got a various for 14 lots right off

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1 Prospect Avenue off of Waymouth Road, between Waymouth
2 and Strawberry.

3 Those people are in their deeds told that
4 they can't put sprinkler systems from a well to
5 sprinkle their yards, because it would contaminate the
6 system and the ground. Is anybody here aware that
7 when they did Spring Hill that they said that they
8 wouldn't be allowed to irrigate their own water? Not
9 to even water their grass.

10 I was thinking about putting a well in,
11 because it costs me probably \$150 a month to sprinkle
12 my yard. And I would almost, if I went for a permit,
13 I would probably be caught in this thing now that
14 Vineland is saying, the water is polluted.

15 The system don't seem to work for the
16 average person anymore. The regulations we know
17 protect us. OSHA protects us, NRC, EPA. But there is
18 an example in the industrial park. They pollute --
19 there's a place there that burns oil that nobody else
20 in the State of New Jersey or anywhere.

21 The government has no other place to do
22 it, so they fight to keep that place in operation.
23 I'm downstream from that. Do you want to come look at
24 my cars, look at my house, what it does to it? But it
25 says, hey, it's all right.

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1 But I was told when I was a little kid the
2 only thing I should breathe is air. I shouldn't be
3 breathing dust, and I should only drink water that's
4 water, not stuff that's contaminated. And I think
5 that should be all your decisions here about the
6 cancer, drinking water, and the NRC.

7 And maybe you can't stop it on the NRC
8 part of it, but the regulations for as low as
9 reasonably achievable might be all right for that.
10 But how about our groundwater? I'm on city water
11 right now. I have a notification that my water
12 exceeds the limits of what I'm allowed to drink on a
13 couple of things. Some of it is radon I think. They
14 have trouble with radon in the wells in Vineland.

15 So it's a concern, because now we also
16 have in the future, what are they going to do with the
17 waste from Lacy nuclear powerplant? What are they
18 going to do with the stuff from Hope Creek? What are
19 they going to do with the stuff from the Salem plants?
20 That's all going to come up to us people in South
21 Jersey.

22 I'm 68 years old. I'm probably not going
23 to see it. But our children and my grandchildren will
24 see this, and I think that this all should be
25 reflected in everybody's decisions. And all I can say

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1 -- if it's better to get rid of it, the better way
2 should be the best way to do it.

3 Thank you.

4 (Applause.)

5 MR. RAKOVAN: Thank you, sir.

6 I think we might have time for one more
7 commenter, if someone who wanted to comment tonight or
8 ask a question did not get a chance to do so at this
9 point. Sir, if you could introduce yourself.

10 MR. WINTERS: Frank Winters, resident.
11 I'm just curious, in the administrative rulemaking
12 process, is there a step that says to take into
13 consideration social impact? Is it just economic or
14 environmental? Or does it also say social impact?

15 MR. McCONNELL: In the rulemaking process,
16 most rules are accompanied by an environmental impact
17 statement.

18 MR. WINTERS: That's one.

19 MR. McCONNELL: That take into account all
20 impacts.

21 MR. WINTERS: Okay. Then, let me ask you
22 this. Well, you've -- you have a tough job, I know
23 that, but you chose it. We have a tougher job, and
24 that's living here. And I work for government, and,
25 quite frankly, you scare me a little bit. Not

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1 personally. Please, don't take it that way.

2 But you're using terms here all night such
3 as meeting the regulatory criteria or institutional
4 controls. There were a lot of issues about the
5 funding, the finances. Is the \$5 million enough?
6 When you go back to examining your data from this
7 meeting, as you said just a few minutes ago, I think
8 it should be the easiest job you have, because there
9 has only been one comment: we don't want it here.

10 And, realistically, your agency empowered
11 them and helped create this situation by authorizing
12 them with these permits to have this stuff in the
13 first place by setting possession limits and now,
14 what, two permits you've issued them, and now -- now,
15 basically it's frightening to me that one company and
16 a government agency together can create a microtoxic
17 waste dump regardless of how the community feels about
18 it, because if our comments aren't technically
19 arguable, I have a feeling that you're going to
20 dismiss most of it.

21 And there has only been that one comment:
22 we don't want it here, we want it moved out, we want
23 Newfield the way it was when they came in. And when
24 they leave, they leave it the way they found it.

25 (Applause.)

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1 MR. McCONNELL: Well, I think we've heard
2 a lot of comments, but certainly we have heard the
3 principal comment that you mentioned.

4 MR. RAKOVAN: Larry, did you want to -- I
5 think you wanted to address a few questions that you
6 thought went unanswered, and close things down for the
7 night?

8 MR. CAMPER: I do. Thank you. A couple
9 of questions that came up I thought warranted just a
10 bit more of an answer. So bear with me. I know it's
11 late, and I'll try to do that.

12 The one gentleman raised a question about
13 the volume of waste that's out there. An important
14 point to make you aware of this is is that all of the
15 slag that you see is not radioactive waste. Some of
16 it is below licensable quantities, although it has
17 trace amounts of uranium and thorium. Some of it is
18 slag that does not have radioactivity in it.

19 I asked the owner today if they had any
20 idea of how much was radioactive and was not
21 radioactive, and they don't. Unless they went through
22 and separated it, they would not know. But while
23 there's a lot of it, my point is not all of it is
24 radioactive waste.

25 The lady back here raised a very good

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1 point about dose, the dose criteria. Our dose
2 criteria is based upon something called a linear non-
3 threshold model, which says that there is no level
4 below which there is not some harm. She's right.

5 EPA has chosen not to develop a dose
6 standard for decommissioning. At the time we put our
7 license termination rule in place in 1996, they had
8 started a rulemaking. They withdrew it. The
9 Commission felt that it was important to proceed to
10 have a decommissioning standard, whether EPA proceeded
11 or not. Thus, we developed the 25 millirem standard
12 that we've heard here tonight.

13 The risk range is on the order of the same
14 -- 10^{-6} . The calculational methodologies are
15 different, but the risk range is the same.

16 Today, the SMC management indicated to us
17 they did not intend to leave this site. I'm not going
18 to stand up here and speak for SMC. It's not our job.
19 But there seems to be confusion about what are the
20 plans of SMC. And I would suggest that the leadership
21 of the community explore that issue with SMC
22 management, because I was somewhat surprised to hear
23 that, and I think that that's something that probably
24 warrants some further review by you folks. And I
25 certainly would encourage you to do that.

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1 Last, but not least, one gentleman
2 commented that we don't even know what's going on.
3 We're not on the mailing list. If any of you want to
4 be on a mailing list to get documents that we send out
5 about this site, let us know. There's a list back
6 there. Carol, would you make sure there's a list back
7 there?

8 We'll be happy to provide you with
9 announcements of meetings with the licensees, copies
10 of documents that are publicly available that are
11 communications to licensees. It is not our preference
12 that you be at an absence of information.

13 I would conclude by saying that we've
14 heard you. We appreciate your comments. We do
15 understand your concerns, and we will take these
16 things into consideration as we do our review.

17 We have made no decision on this
18 decommissioning plan as to whether it's going to be
19 acceptable or not. We have also indicated to the
20 State of New Jersey that we would like to talk with
21 them along the way. We're charged with the same thing
22 that they are -- protection of public health and
23 safety. I think it's important that we communicate
24 about their concerns along the way. We would intend
25 to do that.

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1 So thank you. Appreciate all of your
2 comments and concerns, and this is part of the
3 process.

4 Yes, sir.

5 AUDIENCE MEMBER: I'm sorry.

6 MR. CAMPER: That's okay.

7 AUDIENCE MEMBER: But I'd like to restate
8 the question that --

9 MR. CAMPER: Can you get a mike?

10 MR. RAKOVAN: Sir, I'm sorry. We have to
11 end the meeting, so the people who work at the school
12 can go home. Can we do a follow up?

13 The NRC staff will be around if you have
14 questions and you want to follow up. We really need
15 to start breaking down the facility.

16 Thank you. Have a good night.

17 (Whereupon, at 10:04 p.m., the
18 proceedings in the foregoing matter were
19 adjourned.)

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