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FIRST DISTRICT, NEW JERSEY

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**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-3001**

PLEASE REPLY TO:

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September 5, 2003

Chairman Nils J. Diaz  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Dear Chairman Diaz:

I write to you about the Gloucester Environmental Management Services landfill, a highly contaminated site in my district and request the involvement of the Nuclear Regulatory Commission (NRC) to ensure that identified radioactive materials will not endanger public health.

As you know New Jersey is a NRC "non-agreement state." Since the NRC exercises regulatory authority over Atomic Energy Act (AEA) materials in those States that do not have agreements, I believe that the NRC has an obligation to verify that radionuclides in the landfill are *not* AEA materials. Although I understand that radionuclides found in the landfill may possibly be naturally occurring, I have not seen a sufficient finding of fact to support this conclusion. To the contrary, sample results reported in the Report on Radiological Data for GEMS Landfill Groundwater by Wesley K. Van Pelt Associates, Inc. call into question the issue of naturally occurring contamination. Of particular concern are elevated levels of uranium.

Additionally, as part of your investigation I request that you certify that none of the Primary Responsible Parties is or has been a NRC licensee. By learning more about the 200+ organizations responsible for contamination of the landfill, policy makers and the community will be in a better position to evaluate the most sound remediation option.

Thank you for your consideration of my request. If you have any questions please do not hesitate to contact me or my aide, Robert Knotts.

Sincerely,



Robert Andrews  
Member of Congress

REA:rk