



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

September 11, 1996

Mr. Sherwood Bauman, Chairman  
Save the Wills Creek Water  
Resources Committee  
6354 Cowgill Lane  
Cumberland, OH 43732

Dear Mr. Bauman:

I am responding to your September 9, 1996, letter to Chairman Jackson of the Nuclear Regulatory Commission and my telephone conversation with you on September 11, 1996. In both the letter and conversation, you requested NRC to (1) postpone the September 16, 1996, public meeting on the Draft Environmental Impact Statement (DEIS) on Decommissioning of the Shieldalloy Metallurgical Corporation, Cambridge, Ohio Facility and (2) extend the public comment period on the DEIS by a period of 180 days.

NRC intends to proceed with the public meeting on September 16, 1996. The purpose of the meeting is to provide the public and interested parties an overview of the DEIS, to answer questions on information contained within the DEIS, and to receive comments for consideration in developing the Final EIS. We intentionally scheduled the public meeting more than a month after the DEIS was distributed to ensure that interested parties would have an opportunity to review the document, to answer questions that surface in reviewing the DEIS, and to allow time after the public meeting for people to consider this information in preparing any written comments on the DEIS before the close of the comment period on October 31, 1996. As you are also aware, we doubled the duration of the comment period from the legally required 45-day period to 90 days to allow additional time for public review. In our view, it would be contrary to the public interest to defer the public meeting scheduled for September 16, 1996.

Based on our review, your justifications for the delay in the meeting, specifically access to Ohio's Remedial Investigation/Feasibility Study (RI/FS) and handicap accessibility to NRC's Local Public Document Room (LPDR), do not provide a sufficient basis for delay. The RI/FS is being developed by Shieldalloy Metallurgical Corporation and other responsible parties in compliance with an order from the Ohio Environmental Protection Agency (OEPA). A draft of the RI/FS was initially published in July 1995. Because the draft RI/FS describes site characteristics and remediation designs, NRC's DEIS cites the document. A copy of the draft RI/FS was placed in NRC's LPDR (Guernsey County Library, Cambridge, OH) when it was received by the NRC last year (ca. July 1995). We have confirmed with Guernsey County Library staff that the document is available at the LPDR. Therefore, a copy of the RI/FS has been available for at least the last six months.

We understand from our discussions with OEPA that OEPA placed a copy of the draft RI/FS in their local repository at the library in Byesville, OH, on September 6, 1996. Placement of the draft RI/FS in the Byesville Library last Friday is not a sufficient basis for delay of NRC's public meeting because the information has already been available for at least several months.

With respect to handicap accessibility, NRC's LPDR staff contacted Guernsey County Public Library, Cambridge, on September 10, 1996, and confirmed that the records in the LPDR are accessible to handicapped individuals by using the elevator. The elevator is handicap accessible. Library staff mentioned the basement has to be handicap accessible because that is where the handicap accessible bathroom is located. Consequently, inaccessibility of the LPDR collection at the Guernsey County Library is not a sufficient basis for delay of NRC's public meeting because, according to the library, the LPDR collection is clearly accessible.

Regarding your second request that we extend the public comment period on the DEIS beyond October 31, 1996, by 180 days, it would be premature to extend the comment period at this point in the review process. We believe that the public meeting will be useful in highlighting specific issues and comments the public may have with the DEIS. This information will be useful to NRC in judging the need to extend the comment period. In addition, by the middle of October 1996, we will also have current information on the status of Ohio's review of the draft RI/FS and associated actions. We will consider this information in determining whether the comment period should be extended. Please note that NRC staff will grant, to the extent practicable, reasonable requests for extensions of time for the comment period of up to 15 days, in accordance with NRC requirements in 10 CFR 51.73.

We look forward to the participation of all interested parties in the public meeting next Monday.

Sincerely,  
[ORIGINAL SIGNED BY:]  
Michael F. Weber, Chief  
Low-Level Waste and Decommissioning  
Projects Branch  
Division of Waste Management  
Office of Nuclear Material  
Safety and Safeguards

180079

cc: Shieldalloy Distribution List  
TICKET: GT96689

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NAME	JKennedy*	MThaggard*	MWeber								
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\*See Previous Concurrence

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Mr. Bauman

- 2 -

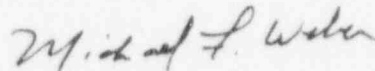
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NAME	JKennedy	MThaggard	MWeber									
DATE	1 / 96	9 / 1 / 96	1 / 96									

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NAME	JKennedy	MThaggard	MWeber									
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# ACTION

## EDO Principal Correspondence Control

FROM:

DUE: 09/13/96

EDO CONTROL: GT96689

DOC DT: 09/09/96

FINAL REPLY:

Sherwood Bauman  
Save Wills Creek

TO:

Chairman Jackson

FOR SIGNATURE OF :

\*\* GRN \*\*

CRC NO: 96-0954

Weber

DESC:

ROUTING:

REQUEST POSTPONEMENT OF PUBLIC MEETING IN THE  
SHIELDALLOY EIS CASE SCHEDULED FOR 9/16/96 IN  
CAMBRIDGE, OHIO AND A REQUEST FOR AND EXTENSION  
OF TIME TO FILE WRITTEN COMMENTS OF 180 DAYS

Taylor  
Milhoan  
Thompson  
Blaha  
Cyr, OGC

DATE: 09/11/96

ASSIGNED TO:

CONTACT:

NMSS

Paperiello

SPECIAL INSTRUCTIONS OR REMARKS:

DWM Action	
Due to NMSS Director's Office	
By	9/13/96
rcu	9/11/96

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PAPER NUMBER: CRC-96-0954 LOGGING DATE: Sep 9 96  
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AUTHOR: SHERWOOD FOREST BAUMAN  
AFFILIATION: OHIO  
ADDRESSEE: CHAIRMAN JACKSON  
LETTER DATE: Sep 9 96 FILE CODE:  
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