

40-8948



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

September 20, 1996

Ms. Diane D'Arrigo  
 Radioactive Waste Project Director  
 Nuclear Information and Resource Service  
 1424 16th St. NW, Suite 404  
 Washington, DC 20036

Dear Ms. D'Arrigo:

I am responding to your September 11, 1996, letter to Chairman Jackson of the Nuclear Regulatory Commission in which you stated that you supported the request of local residents in the vicinity of the Shieldalloy Metallurgical Corporation facility for: (1) a 45-day postponement of the September 16, 1996, public meeting in Cambridge, Ohio, on the Draft Environmental Impact Statement (DEIS) on decommissioning of that facility; and (2) an extension of the public comment period on the DEIS by a period of 180 days.

We appreciate your interest in ensuring that the public is meaningfully involved in the SDMP process. To that end, we scheduled the meeting on September 16, 1996, 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. We also doubled the duration of the comment period from the legally required 45-day period to 90 days to allow additional time for public review.

We considered the request from the local residents and decided to proceed with the meeting. Based on our review, the justifications for the delay in the meeting, including the lack of availability of the Remedial Investigation/Feasibility Study (RI/FS) that you refer to in your letter, did not provide a sufficient basis for delay. The RI/FS is being developed by Shieldalloy Metallurgical Corporation and other responsible parties in compliance with a consent 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 PDR (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 PDR. Therefore, a copy of the RI/FS has been available for at least the last six months.

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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 on the 6th is not a sufficient basis for delay of NRC's public meeting because the information has already been available for at least several months.

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 was useful in highlighting both the level of interest in the DEIS by the public and some specific issues on 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.

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

Docket No.: 040-08948  
License No.: SMB-1507

cc: Shieldalloy Distribution List

TICKET: GT96697

*copy 9/20/96*  
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SECY CRC-96-0982

Path and File Name: s:\dwm\lldp\jek\d'arrigo

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NAME	JKennedy	RNelson	MWeber									
DATE	09/19/96	9/19/96	9/20/96									

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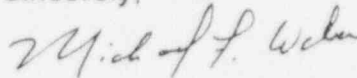
D. D'Arrigo

- 2 -

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

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**ACTION**

EDO Principal Correspondence Control

FROM:

DUE: 09/30/96

EDO CONTROL: GT96697

DOC DT: 09/11/96

FINAL REPLY:

Diane D'Arrigo  
Nuclear Information and Resource Service

TO:

Chairman Jackson

FOR SIGNATURE OF :

\*\* GRN \*\*

CRC NO: 96-0982

Weber

DESC:

ROUTING:

REQUEST FOR EXTENSION OF THE COMMENT PERIOD AND  
RESCHEDULE OF PUBLIC HEARING ON THE DEIS ON THE  
DECOMMISSIONING OF THE SHIELDALLOY RADIOACTIVE  
WASTE SITE

Taylor  
Milhoan  
Thompson  
Blaha  
Cyr, OGC

DATE: 09/17/96

ASSIGNED TO:

CONTACT:

NMSS

Paperiello

ACTION: Weber

Due to DWM

Director's Office: \_\_\_\_\_

cc: CAV

m7  
JH

SPECIAL INSTRUCTIONS OR REMARKS:

Coordinate with OGC.

*rec'd 9/17/96*

DWM Action

Due to NMSS Director's Office

By 9/25/96

*Paperiello  
Greene  
Lincoln  
Dattilo  
Poland*

9/18

# ACTION

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Nuclear Information and Resource Service

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CONTACT:

NMSS

Paperiello

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Due to DWM

Director's Office:

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m4  
JH

m4 9/17/96

DWM Action

Due to NMSS Director's Office

By 9/25/96

Paperiello  
Grews  
Linslow  
Dattilo  
Island

9/18



OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

PAPER NUMBER: CRC-96-0982 LOGGING DATE: Sep 16 96  
ACTION OFFICE: EDO/OGC  
AUTHOR: DIANE D'ARRIGO  
AFFILIATION: DISTRICT OF COLUMBIA  
ADDRESSEE: CHAIRMAN JACKSON  
LETTER DATE: Sep 11 96 FILE CODE:  
SUBJECT: REQUEST FOR EXTENSION OF THE COMMENT PERIOD AND  
RESCHEDULE PUBLIC HEARING RE DEIS ON THE  
DECOMMISSIONING  
ACTION: Direct Reply  
DISTRIBUTION: CHRM, COMRS.  
SPECIAL HANDLING: SECY TO ACK  
CONSTITUENT:  
NOTES: OCM # 5280  
DATE DUE: Sep 30 96  
SIGNATURE: . DATE SIGNED:  
AFFILIATION:

*B. Stults*

EDO -- GT96697

Rec'd Off. EDO

Date 9/17/96

Time 9:30

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

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AFFILIATION:

*B. Stiller*

EDO -- GT96697

Rec'd O.H. EDO  
Date 9/17/96  
Time 9:30