


U.S. NUCLEAR REGULATORY COMMISSION		NRC FOIA REQUEST NUMBER(S)	
<div></div> <div>NUDOCS</div> <div>RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST</div>		FOIA — 96-417	
		RESPONSE TYPE	
		<input checked="" type="checkbox"/> FINAL	<input type="checkbox"/> PARTIAL
		DATE NOV 14 1996	
DOCKET NUMBER(S) (if applicable)			
REQUESTER Mr. Sherwood Bauman			
PART I.—AGENCY RECORDS RELEASED OR NOT LOCATED (See checked boxes)			
<input type="checkbox"/> No agency records subject to the request have been located.			
<input type="checkbox"/> No additional agency records subject to the request have been located.			
<input type="checkbox"/> Requested records are available through another public distribution program. See Comments section.			
<input checked="" type="checkbox"/> Agency records subject to the request that are identified in Appendix(es) <u>A</u> are already available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC.			
<input type="checkbox"/> Agency records subject to the request that are identified in Appendix(es) _____ are being made available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number.			
<input type="checkbox"/> The nonproprietary version of the proposal(s) that you agreed to accept in a telephone conversation with a member of my staff is now being made available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number.			
<input type="checkbox"/> Agency records subject to the request that are identified in Appendix(es) _____ may be inspected and copied at the NRC Local Public Document Room identified in the Comments section.			
<input checked="" type="checkbox"/> Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC.			
<input checked="" type="checkbox"/> Agency records subject to the request are enclosed. *			
<input type="checkbox"/> Records subject to the request have been referred to another Federal agency(ies) for review and direct response to you.			
<input checked="" type="checkbox"/> Fees (NONE)			
<input type="checkbox"/> You will be billed by the NRC for fees totaling \$ _____.			
<input type="checkbox"/> You will receive a refund from the NRC in the amount of \$ _____.			
<input type="checkbox"/> In view of NRC's response to this request, no further action is being taken on appeal letter dated _____, No. _____.			
PART II. A—INFORMATION WITHHELD FROM PUBLIC DISCLOSURE			
<input type="checkbox"/> Certain information in the requested records is being withheld from public disclosure pursuant to the exemptions described in and for the reasons stated in Part II, B, C, and D. Any released portions of the documents for which only part of the record is being withheld are being made available for public inspection and copying in the NRC Public Document Room, 2120 L Street, N.W., Washington, DC in a folder under this FOIA number.			
COMMENTS			
<p>*The records identified on enclosed Appendix A are responsive to your request. For your information, Appendix A records have previously been placed in NRC's Public Document Room (PDR), in Washington, DC, for public inspection and copying. However, since you are entitled to receive 100 pages at no charge, we are enclosing two of these records. The remainder of the records may be obtained by contacting the PDR directly. I have enclosed instructions to assist you if you contact the PDR.</p> <p>You are not being assessed fees for the processing of your request since the minimal fee limit has not been exceeded. This completes NRC's action on your request.</p> <div>FIAH d1</div>			
SIGNATURE, DIRECTOR, DIVISION OF FREEDOM OF INFORMATION AND PUBLICATIONS SERVICES			
<div>9611270033 961114</div> <div>PDR FOIA</div> <div>BAUMAN96-417 PDR</div>			

Re: FOIA-96-417

APPENDIX A

DOCUMENTS MAINTAINED AT THE PDR

NUMBER	DATE	DESCRIPTION/ACC. NO.
1.	9/15/95	Letter to Gary Comfort from C. Scott Eves, re: Application for Renewal of Source Material License No. SMB-743, (41 pgs.) - Acc. No. 9509210192.
2.	11/28/95	Letter to Gary Comfort from C. Scott Eves, re: Radiation Safety Procedures - Newfield Facility, (145 pgs.) - Acc. No. 9512050081.
3.	Various	Printout of Docket 40-7102 of Publicly Records.

Case No:

96-417

Date Rec'd:

10-17-96

Received OEDO 10/11/96

Action Off:

Related Case:

## Save Wills Creek

Sherwood (forest) Bauman  
Chairperson  
6354 Cowgill Lane  
Cumberland, Ohio 43732

Telephone 1 (614) 638-2529

To: Ms Shirley Jackson  
Nuclear Regulatory Commission  
Washington, DC

Reas: Request for extension of comments times on the Shieldalloy Site DEIS /request for the establishment of a LPDR in Newfield New Jersey, request to have Sherwood Bauman of Save Wills Creek, and Terry Ragone of the Newfield Residents Environmental Group be placed on the NRC's distribution/service list for the Newfield New Jersey site.

Dear Ms. (Chairperson) Jackson:

I Sherwood (forest) Bauman of Save Wills Creek herein do petition the NRC to grant the following:

1. I formally petition the NRC to extend the Public Comments period for the Shieldalloy DEIS docket number 040-8948 for an additional period of 30 days until November, 1996 for the following reasons.
  - A) The NRC took 22 days to send us out a simple document needed for us to evaluate this DEIS. Chip Cameron of your Office of General Counsel told me on Sept 18th of this year that he would see to it that the document (NRC's Action Plan to Ensure Timely Cleanup of Site Decommissioning Management Plan (SDMP) (57 FR 13389, April 16, 1992)) would be sent out right away.
  - B) When I did not receive said document in a timely fashion, I again contacted Chip Cameron who again promised that he would take care of it. IN fact, he said he would personally send it out that day.
  - C) When I still did not receive it, I left a message for Chip Cameron and then spoke to Jim Kennedy on the issue. Jim Kennedy said he knew of the document request, and that he would see that it went out last Friday. (The fact that it was then Tuesday and I had been waiting for the document for the better part of three weeks did not seem to phase him.) We finally received the document yesterday the 8th of Oct, though Chip Cameron swore that it would go out immediately.
  - D) Now that we have the document, we find out that 1) there is not a lot there, because 2) it refers us to other government documents that we now have to go about FOIAing.
  - E) We have yet to hear back on some of our documents requests. Dependent on when we receive our answers and what those answers are, we hope to be able to complete our comments by the 30th of November, 1996.

For these reasons, we feel that our request for an extension of time to file comments of thirty days up to and including November 30th, 1996 is justified. Further, we would suggest that the NRC consider making it a requirement that all documents referenced in a DEIS or other official public document which is opened up for public review and comment be furnished or placed in the LPDR to avoid delays similar to this in the future.

2. I Sherwood Bauman, on behalf of Terry Ragone and the affected citizens of Newfield New Jersey officially petition the NRC to open up a LPDR for the citizens of Newfield New Jersey at their local library or the City Hall. First, in a telephone conversation with one Gary Comfort of your staff, I was informed that he favors such a LPDR but that so far requests for same have been denied. IN view of the

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fact that said site offers up some very serious situations (IE-though the NRC knows the licensee does not have the required financial assurances, the NRC is giving the licensee a FULL year to evaluate and prove that waste can be turned into product. Problem is that the citizens are not being protected as the NRC has not filed a claim on their behalf in the Bankruptcy case, instead simply allowing the company to technically operate without a valid license....just like they did with Cypress Foote at our site when they went for a period of 12 years without a valid license.) which threaten the health of said citizens and their public drinking water supplies. The NRC put a temporary halt to the EIS on this site while company evaluates a flawed plan to turn waste into product, however, the DEIS was not abandoned. The citizens should be entitled to a LPDR, and I would site our community as an example of that. Expecting local citizens to drive three hours round trip each time they need to look at a document is simply not reasonable.

3. I further petition the NRC to place both myself and Terry Ragone on the NRC's service list for the Newfield New Jersey site. I am planning a trip out to New Fieldfield next month, and Terry and I's organizations will be working out strategies to mutually assist one another due to the similarities of the two sites and their environmental problems. I'll also be taking the necessary steps while there to become a full participating member of their organization. As the leaders of citizens activist groups who are watch dogging this site, we feel it imperative that we be kept abreast of what is going on at this site in a timely manner. Further, we would ask that service list be construed to include not only NRC generated documents, but also documents generated by the licensee which are submitted to the NRC. I would site as precedent by placement on the service list for Shieldalloy Cambridge, as well as Chris Trepal's (Earthday Coalition) placement on the service list for our site as well as the Chemetron site up in New Field Heights, Ohio.

I would like to close by bringing up one last issue. I suppose Shieldalloys license request which is pending before your staff. I would (FOIA request) like to receive a copy of the license renew request as well as copies of any underlying or supporting documentation on same. Further, on behalf of the citizens of New Field New Jersey, I petition the NRC to revoke the license in its current format, an instead downgrade the license to one which would only allow the licensee to be in possession of Low Level Radioactive Wastes for the purposes of decommissioning only. Shieldalloy cannot meet the necessary financial assurance requirements that are required by your agency. Therefore, they should not be allowed to further pollute the environment, nor further denigrate and/or destroy the natural resources of said community. Lastly, it is further petitioned that the NRC immediately re-instate the DEIS on said New Field New Jersey site. Further, it is officially

Respectfully Submitted

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