
Formerly Utilized Sites Remedial
Action Program (FUSRAP)

Maywood Chemical Company Superfund Site

ADMINISTRATIVE RECORD

Document Number

MISS- 077.



**US Army Corps
of Engineers®**

MAYWOOD SITE - COMMENTS RECEIVED ON EE/CA

Loretta Weinberg	Angel Ojeda	Jeanette Zembower
George Stanton	Deborah Porta	William Schuber
Margaret Parks	Hannelore Farizyk	Serena McDonald
Dorothy Zaorski	John Malessat	Kathleen Donnelly
Debra Finch	William Stawecki	Evelyn Sieglen
Barton Knight	Rose Samulha	Thomas Heninely
Keith and Sara Kozaryn	Arlene Formisano	Doris & Richard Gehl
Margaret Keane	Mary Ann Donnely	Norma Koeser
Cesare J. Parodi	Ethel J. Parodi	Joseph & Dorothy Ermilio
Albert & Lynn D'ltuyvetter	Barbara Johnson	Rocco Finoate
Michael Nappi	Robert & Lisa Fiscina	Deanna Power
P. Pacciani	A. M. Pacciani	Annette Schmidt
Steven Mark	David & Michele Holmes	Roberea & Rich Fritz
Barbara Cassidy	Joseph Grines & Family	Robert Meyer
Angelo Caso	John Otto	Dean Frenkian
Martha DeYoung	Pat Schmitt	Dawn Andrews
Noah McDowell	John Catal	Mrs. Tomasella
William	Clara Green	Vicki Koeser
Joan & Terry McNegary	D. Foy	Merarleine Dezonis
Edward Myers	Joan Fabjio	David Wesst
K. M. Lu	Christine Kodonaya	Al Rettenberger
Joseph Brain	Helen Lowry	William
Karen Smith	J. Mancium	Patrick Fubaugh
Elizabeth & Joseph McKenna	Thomas Henkel	H. Broad
Michael Doliton	Josephine Keating	Anna Garriton
Charles Prox	Gary Wells	Viola Elis
Jean Pelligan	Irima Ivanova	Patricia & Frank Dilorenzo
Ken & Carol Petretti	Lillian Signle	XXXXXXXXXXXXXXXXXX
Michael Nolan	Steve Cooper	Frank Bieniek
Michael & Barbara Morris	John Keper	Jo Liegh Kileshian
Lynne & Don Lepore	Bernadette Parodi	Ruthann Robinson
Elaine Jakubcak	Lenore Titus	Rosemary Nevins
Mrs. Eodyn Lozier	Robert Belby	Elizabeth Georgette
Andrew Fede	Sheena Buchans	Wayne Westworth
Margarita Dillon	Robert & Elizabeth Cloughley	Jan & Tim Desmond
Robert & Ilene Cloughley	Robert Holems	Mr. & Mrs. Pat Andrews
Jean & Don Ayerlee	Debora & George Freescager	Nancy Neill
Josephine Gioia	Peter & Louise Torell	Chick Parodi



JUN 20 1 34 PM '94

NEW JERSEY GENERAL ASSEMBLY

ASSISTANT MINORITY LEADER
LORETTA WEINBERG
 ASSEMBLYWOMAN, 37TH DISTRICT
 BERGEN COUNTY
 545 CEDAR LANE
 TEANECK, NJ 07666
 (201) 928-0100
 FAX (201) 928-0406

COMMITTEES
 HEALTH AND HUMAN SERVICES
 ECONOMIC AND COMMUNITY
 DEVELOPMENT, AGRICULTURE
 AND TOURISM

COMMISSIONS
 N.J. HISTORICAL COMMISSION
 N.J. ISRAEL COMMISSION

June 13, 1994

Ms. Susan M. Cange, Site Manager
 U.S. Department of Energy
 Former Sites Restoration Division
 P.O. Box 2001
 Oak Ridge, Tennessee 37831-8723

Dear Ms. Cange:

Please accept this letter as a strong protest to the environmental situation Maywood, a New Jersey town that I represent in the State Assembly.

A number of my constituents have spoken to me about having thorium removed from Maywood. I would like to go on record as favoring removal of the soil rather than remediation of the site. I feel this is most important to the health of the residents in this area.

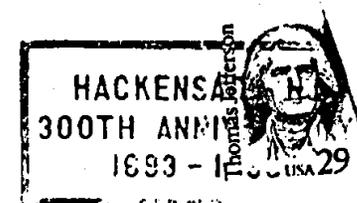
Thank you in advance for your help in this matter.

Sincerely,

Loretta Weinberg
 Assemblywoman, District 37

LW/jt
 cange/B

ASSISTANT MINORITY LEADER
LORETTA WEINBERG
ASSEMBLYWOMAN, 37TH DISTRICT
BERGEN COUNTY
645 CEDAR LANE
TEANECK, NJ 07666



Ms. Susan M. Cange, Site Manager
U.S. Department of Energy
Former Sites Restoration Division
PO Box 2001
Oak Ridge, Tennessee 37831-8723

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Jun 20 1 34 PM '94

NEW JERSEY GENERAL ASSEMBLY

ASSISTANT MINORITY LEADER
LORETTA WEINBERG
ASSEMBLYWOMAN, 37TH DISTRICT
BERGEN COUNTY
545 CEDAR LANE
TEANECK, NJ 07666
(201) 928-0100
FAX (201) 928-0406

COMMITTEES
HEALTH AND HUMAN SERVICES
ECONOMIC AND COMMUNITY
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AND TOURISM

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N.J. HISTORICAL COMMISSION
N.J. ISRAEL COMMISSION

June 13, 1994

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Former Sites Restoration Division
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Oak Ridge, Tennessee 37831-8723

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A number of my constituents have spoken to me about having thorium removed from Maywood. I would like to go on record as favoring removal of the soil rather than remediation of the site. I feel this is most important to the health of the residents in this area.

Thank you in advance for your help in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Loretta Weinberg".

Loretta Weinberg
Assemblywoman, District 37

LW/jt
cange/B

Cinnante
32 Parkway
Maywood, NJ 07607



Ms. Susan M. Cange, Site Manager
U.S. Department of Energy
Former Sites Restoration Division
P.O. Box 2001
Oak Ridge, TN 37831-8723

117688

LAW OFFICES OF
ANGEL OJEDA
ABOGADO
(201) 223-1233

117688

4614 KENNEDY BLVD.
UNION CITY, N.J. 07087

Jun 17 1 38 PM '94

61 HUDSON ST.
HACKENSACK, N.J. 07601

June 9, 1994

U.S. Department of Energy
Former Sites Restoration Division
P.O. Box 2001
Oak Ridge, TN 37831-8723

Re: Proposed Clean Up of
Maywood Thorium Storage Site

To Whom It May Concern:

I am a resident of Maywood, New Jersey. I live on East Hunter Avenue, approximately one city block from the thorium contamination. My wife and three minor children live with me.

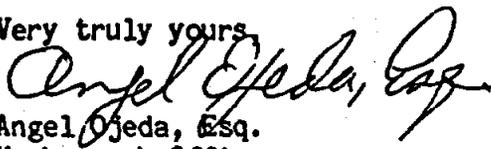
We are very concerned with your plan for the removal of the thorium as recently published by your agency.

We are informed that your plans treat the thorium site as a commercial area. Furthermore, the method to be used in removing the thorium will further expose us to the well known and extremely dangerous health effects of thorium and the potential for monetary damages resulting from a loss of property values in our hometown.

Simply stated, we are concerned about our physical, mental, financial and educational future and fear depending on you to protect us. Our lives are in your hands!

Kindly reconsider your plans and expedite the clean up of the thorium site. We appreciate your cooperation and your recognition in this matter to us and all of the people in Maywood.

Very truly yours,


Angel Ojeda, Esq.
Hackensack Office
(201) 487-7299

AO/mrz

LAWYERS OF
ANGEL OJEDA

61 HUDSON ST.
HACKENSACK, NJ 07601

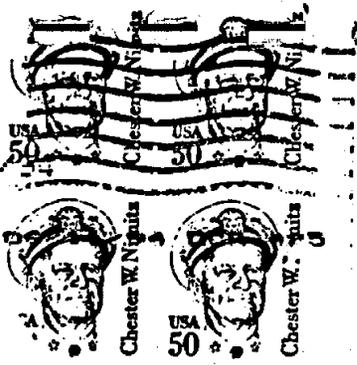
...d... of... the
right of the return address.

KNOW

LE, TN GME 37850 22:53
P 730 320 350

CERTIFIED

MAIL



U.S. Department of Energy
Former Sites Restoration Division
P.O. Box 2001
Oak Ridge, TN 37831-8723



*Return Receipt
Requested*

117688

cc site Manager -

117688

Just like the residents
in the Montclair area,
Maywood's residents support
only those actions that are
final remedies and does
not support partial
excavation solutions. Just
like the Montclair area -
Maywood expects the EPA
and DOE to provide the
same excavate and disposal
of a 5 Pci/g clean up. Your
EEICA for the pile removal
and soil washing is not
acceptable nor health based.

Jun 17 1 35 PM '94

cc: Gov. Whitman

Sincerely,
Jeanette Zembower

Jeanette Zembower
54 East Fairmount Avenue
Maywood, New Jersey 07607

117688

Jun 17 1 37 PM '94

BOROUGH OF LODI
DEPARTMENT OF INSPECTIONS
ONE MEMORIAL DRIVE
LODI, N.J. 07644
(201) 365-4005 EXT 410

June 13, 1994

USDOE
Oak Ridge Operations
PO Box 2001
Oak Ridge, TN 37831

Att: Susan M. Cange
Site Manager
Former Sites Restoration Division

Re: Maywood Site EE/OA,
May, 1994

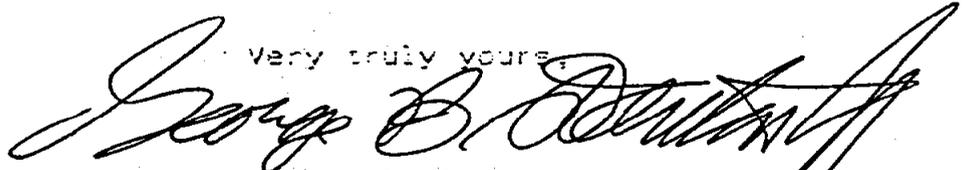
Dear Ms. Cange:

Many properties within the Borough of Lodi have been found to be contaminated with radioactive materials originating at the former Maywood Chemical. The above report states that eight residential properties in Lodi have been decontaminated, one partially remediated, and thirty remain to be dealt with.

For the Borough's administrative purposes, we need to know the addresses of each of these 39 properties and into which of these three groups it falls. Would you please send this information to us as quickly as possible.

Please feel free to call me if you have any questions.

Very truly yours,



George B. Stanton, Jr.
PE, CSP, CIH, FASH
Borough Chemical Engineer

117688

JUN 17 1 43 PM '94

Ms. Susan Cange, Site Manager
U.S. Department of Energy
P.O. Box 2001
Oak Ridge, Tennessee 37831-8723

Dear Ms. Cange:

I have seen the EPA letter to you of May 21, 1993, from Mr. Jeffrey Gratz.

In it he said: "It is EPA's position that if the intent of the proposed remedial action is to allow unrestricted access to the site, either in the current or future use scenario, then the appropriate soil concentration cleanup criteria should be 5-PCI/G through all soil layers regardless of depth."

He also said that 15 PCI/G is not a healthy based standard.

What other comment is needed? So cross off 5-15 PCI/G and soil washing for Maywood, NJ.

As for Lodi and Rochelle Park, their soils can be handled the same as Montclair and they can go to the same site in Utah not Maywood. You did it in Pequannock, NJ.

Apparently, with the DOE involved, money rather than the people's health is becoming a criteria in cleaning up the site.

The information I have seen from documents/letters that are motivating the Concerned Citizens of Maywood tells me that politics is taking precedence over our children's health.

Sincerely,

Deborah Porta
472 Lawrence Ave
Maywood, NJ
07607

cc: President Clinton
Governor Whitman
Attorney General Reno

117688

JUN 15 9 19 AM '94

June 6, 1994

Dear Ms. Cange,

Enclosed is a copy of the EPA Action Criteria for Superfund Removal Action in West Chicago, Illinois (November 1993). I received this information from the Concerned Citizens of Maywood when they were picketing several weeks ago.

Note that residential areas encompass not only residential properties but also institutional, commercial and municipal properties. Page 2 states the 15 pci/g is not a health based standard and 5 pci/g is, and appropriate for use at residential areas.

West Chicago is getting a 5 pci/g clean up but the EPA has flip flopped to allow the 15 pci/g for the Maywood residential area.

Enclosed are street maps of the West Chicago and Maywood areas. Maywood is also a residential area! Take all of the thorium now and ship it to Utah!!!

Sincerely,

Mrs. Margaret Parks

Mrs. Margaret Parks
170 Stelling Avenue
Maywood, N.J. 07607

NOVEMBER 1993

117688

ACTION CRITERIA
FOR SUPERFUND REMOVAL ACTIONS
AT THE KERR-McGEE RESIDENTIAL AREAS SITE
WEST CHICAGO, ILLINOIS

Introduction

Under the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (commonly known as Superfund); as amended by the Superfund Amendments and Reauthorization Act of 1986, the United States Environmental Protection Agency (U.S. EPA) is authorized, among other things, to take response actions whenever there is a release or threat of a release of a hazardous substance into the environment. The National Priorities List (NPL) is a list of hazardous waste sites across the country that are eligible for U.S. EPA response actions under Superfund.

The U.S. EPA has listed four sites in the vicinity of the City of West Chicago, Illinois, on the NPL. The primary contaminants of concern at these sites are radioactive thorium and its decay products derived from ore processing operations at a factory in West Chicago, now known as the Kerr-McGee Chemical Corporation West Chicago Rare Earths Facility ("factory site"). Three of the NPL sites became contaminated when the processing wastes (thorium mill tailings) were removed from the factory and used primarily as fill material in and around the City of West Chicago. These sites are known as:

- (1) Kerr-McGee (Residential Areas) site,
- (2) Kerr-McGee (Sewage Treatment Plant) site, and
- (3) Kerr-McGee (Reed-Kepler Park) site.

The fourth site became contaminated when discharges and runoff from the factory site traveled via a storm sewer into nearby Kress Creek and downstream to the West Branch of the DuPage River. This site is known as:

- (4) Kerr-McGee (Kress Creek/West Branch of DuPage River) site.

It is important to note that the Residential Areas site may encompass not only residential properties, but also institutional, commercial and municipal properties. Although primarily contaminated because thorium mill tailings were used as fill, some of the properties may have become contaminated due to windblown material from the factory site.

The Kerr-McGee factory site from which the contamination originated has not been listed on the NPL; it is regulated under the licensing authority of the Illinois Department of Nuclear Safety (IDNS). Decommissioning, clean-up and closure of the factory site currently is being addressed under that authority.

Purpose and Intent

The purpose of this document is to establish criteria for U.S. EPA's response actions at contaminated properties ("Residential Areas") that are not part of the Sewage Treatment Plant, Reed-Kepler Park or Kress Creek/West Branch of DuPage River sites. Those three NPL sites will be addressed by U.S. EPA in separate actions.

decontaminated to the following limits prior to termination of the license:

"Concentrations of radionuclides in soil above background concentrations for total radium, averaged over areas 100 square meters, shall not exceed:

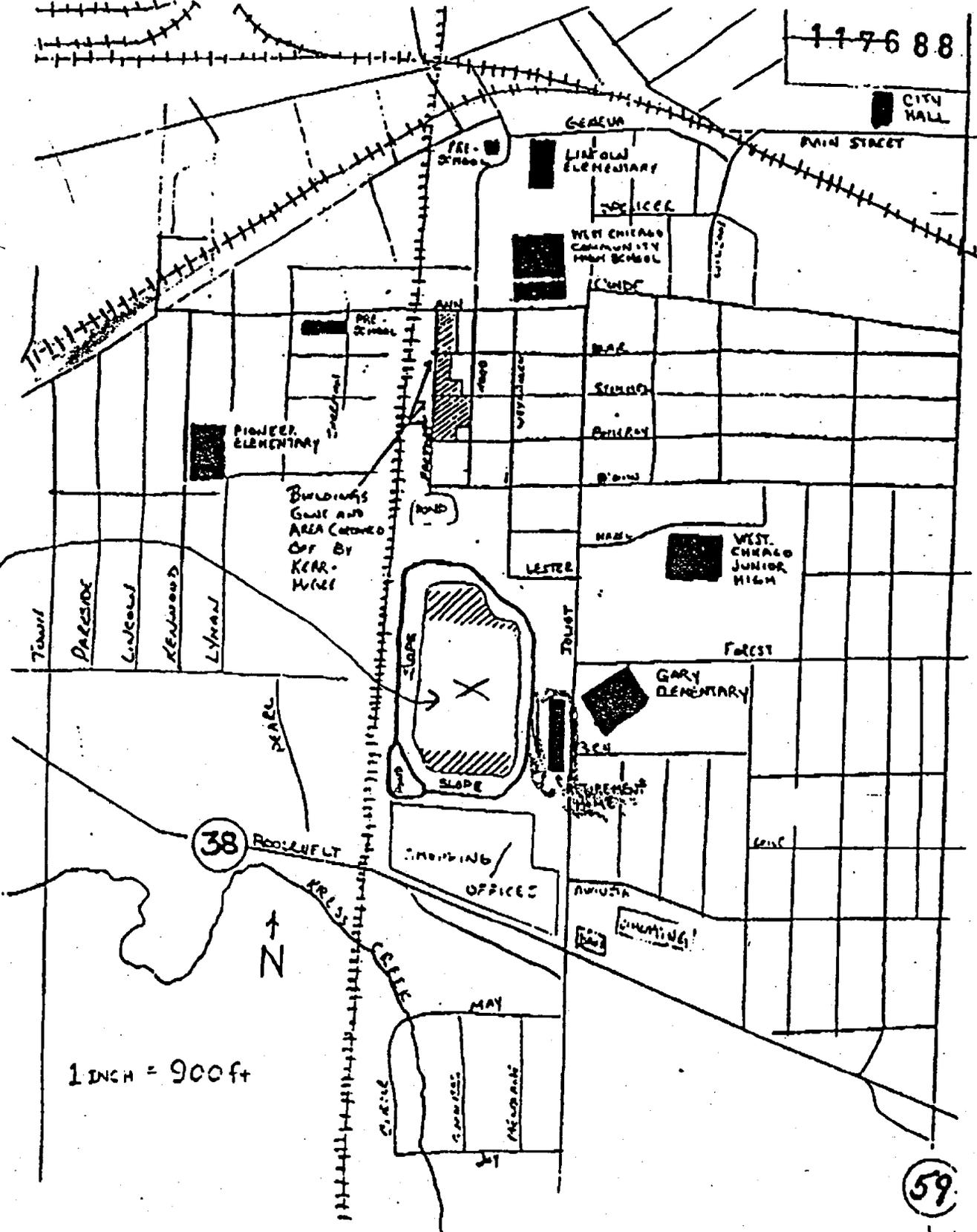
- A) 5 picocuries per gram of dry soil, averaged over the first 15 centimeters below the surface; and
- B) 15 picocuries per gram of dry soil, averaged over layers of 15 centimeters thickness more than 15 centimeters below the surface."

✓ The State requirements in Section 332.150(b) of the Illinois Administrative Code were based on the federal standards in 40 CFR 192.12(a). When the federal standards in 40 CFR 192 were developed over a decade ago, the 5 picocuries per gram (pCi/g) standard was a health based standard, but the 15 pCi/g standard for subsurface soil was technology based, reflecting instrument limitations in locating subsurface deposits. The 15 pCi/g limit is not a health-based standard, and should not be applied to situations in which a health-based standard is appropriate, or to situations that differ substantively from those for which it was derived.

✗ The 15 pCi/g limit was developed as a practical measurement tool for use in locating discrete caches of high activity tailings (typically 300-1000 pCi/g) that were deposited in subsurface locations at mill sites or at nearby properties. The subsurface soil standard in 40 CFR 192 was originally proposed as 5 pCi/g. The final standard was changed, not because the health basis was relaxed, but rather in order to reduce the cost to DOE of locating buried tailings - under the assumption that this would result in essentially the same degree of cleanup at the DOE sites as originally proposed under the 5 pCi/g criterion. The use of a 15 pCi/g subsurface criterion allowed the DOE to use field measurements rather than laboratory analysis to determine when buried tailings had been detected. It is only appropriate for use as a cost-effective tool to locate radioactive waste in situations where contaminated subsurface materials are of high activity and are not expected to be significantly admixed with clean soil. The 15 pCi/g subsurface criterion was not developed for situations where significant quantities of moderate or low activity materials are involved, such as at the Residential Areas site. Therefore, the 15 pCi/g subsurface criterion is not appropriate for use at the Residential Areas site, and thus is not an ARAR. The 5 pCi/g standard, on the other hand, was developed as a health-based standard and is appropriate for use at the Residential Areas site.

Although the soil concentration standard in the regulation is written in terms of an average over an area of 100 square meters, areal averaging will not be conducted during discovery and characterization. This approach is conservative and should minimize the chances of not identifying contamination during the discovery and characterization surveys.

Kerr-McGee Factory Site which presently stores over 500,000 tons of radioactive waste.



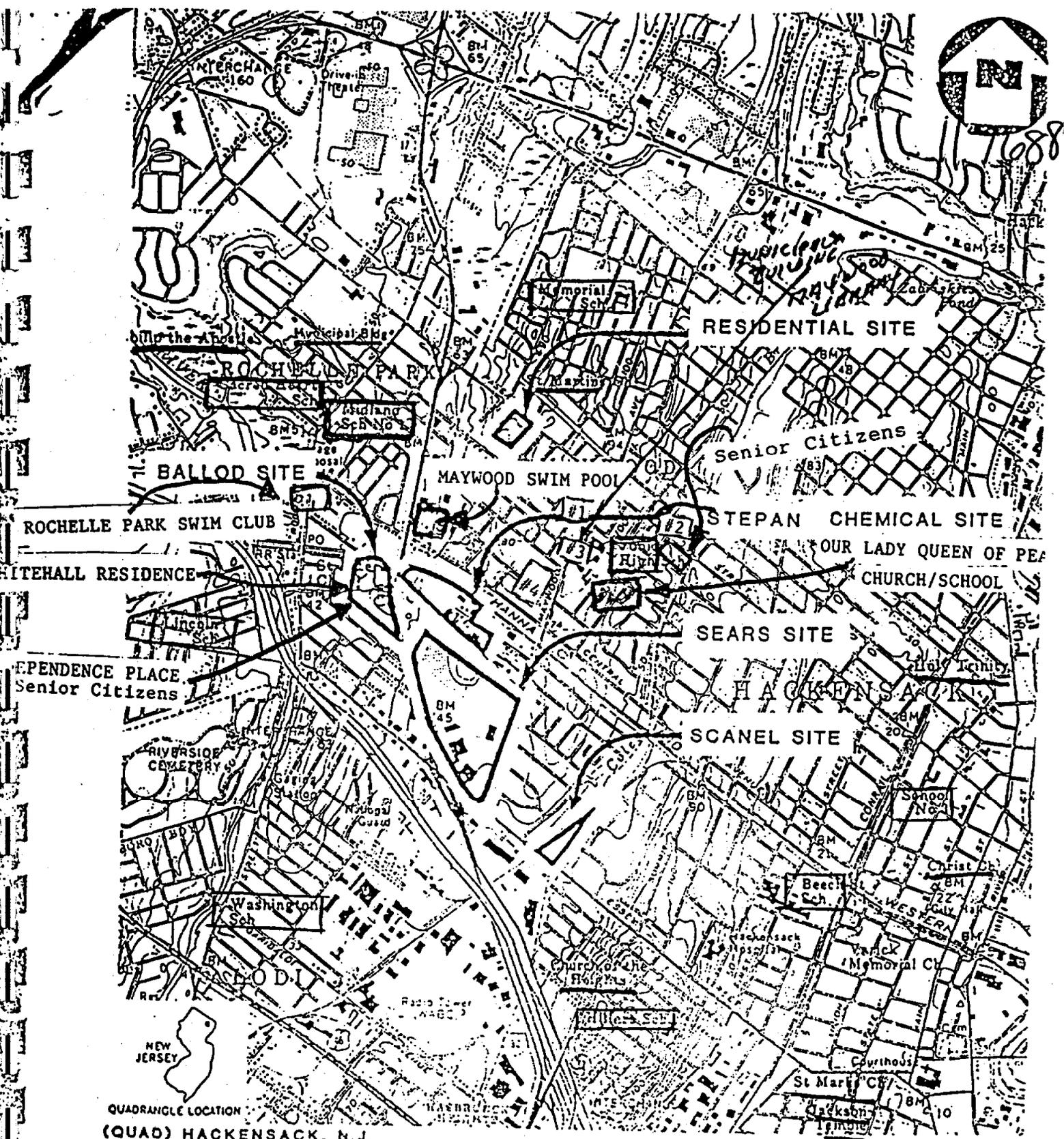
117688
CITY HALL

38

59

West CHIGAGO. IL 60185
KERR-MCGEE PROPOSED DISPOSAL SITE

NET No. 2



QUADRANGLE LOCATION
(QUAD) HACKENSACK, N.J.

SCHOOLS
CHURCHES
AND
#1-2-3-4

SITE LOCATION MAP
MAYWOOD, N.J.

SCALE: 1"=2000'

FIGURE 1
NUS
CORPORATION
A Halliburton Company

- #1 - LUTHERAN CHURCH OF REDEEMER
- #2 - ZION LUTHERAN CHURCH
- #3 - FIRST PRESBYTERIAN CHURCH
- #4 - TEMPLE BETH ISRAEL

Jun 15 9 26 AM '94

June 8, 1994

Dear Mrs. Cange,

Please include Senator Byron Baer's Senate Concurrent Resolution #66 (see attached copy) in your record of comments on the MISS. These are my feelings as well as other informed residents of Maywood, Rochelle Park, and Lodi.

IMMEDIATE REMOVAL!

Sincerely,

Mrs. Hannelde E. Farczyk
200 Maywood Ave.
Maywood, NJ 07607

SENATE CONCURRENT RESOLUTION No. 66

STATE OF NEW JERSEY

INTRODUCED MAY 12, 1994

By Senator BAER

BE IT RESOLVED by the Senate of the State of New Jersey (the General Assembly concurring):

1. The United States Department of Energy, the Environmental Protection Agency, and the Nuclear Regulatory Commission are respectfully memorialized to take every expedient action, in conjunction with the officials of this State, to effectuate the immediate and permanent removal of all thorium-contaminated soil from the Maywood Interim Storage Site and other sites in Maywood Borough, Rochelle Park Township, and Lodi Township, New Jersey.

2. A duly authenticated copy of this concurrent resolution, signed by the President of the Senate and the Speaker of the General Assembly and attested by the Secretary of the Senate and the Clerk of the General Assembly, shall be transmitted to the United States Department of Energy, the Environmental Protection Agency, and the Nuclear Regulatory Commission, the presiding officers of the United States Senate and the United States House of Representatives, and to each of the members of the Congress of the United States elected from New Jersey.

STATEMENT

This concurrent resolution memorializes the United States Department of Energy, the Environmental Protection Agency, and the Nuclear Regulatory Commission to take every expedient action, in conjunction with State officials, to effectuate the immediate and permanent removal of thorium contaminated soil from the Maywood Interim Storage Site and other sites in Maywood, Rochelle Park, and Lodi, New Jersey.

Memorializes United States agencies to remove thorium contaminated soil in Maywood, Rochelle Park, and Lodi, New Jersey.

STATE OF NEW JERSEY

INTRODUCED MAY 12, 1994

By Senator BAER

A CONCURRENT RESOLUTION memorializing the United States Department of Energy, the Environmental Protection Agency, and the Nuclear Regulatory Commission to take every expedient action, in conjunction with the officials of this State, to effectuate the immediate and permanent removal of thorium contaminated soil from sites in Maywood Borough, Rochelle Park Township, and Lodi Township, New Jersey.

WHEREAS, The radioactive metallic element thorium, a waste byproduct of certain manufacturing processes that occurred on-site from 1916 to 1959 at the Maywood Chemical Company in Maywood, New Jersey, was mixed with other substances and used as fill in several locations in residential areas of Maywood Borough, and had contaminated some properties in Rochelle Park Township and in Lodi Township; and

WHEREAS, Because of the imminent danger this situation posed, the United States Department of Energy in 1984 began a cleanup that removed approximately 40,000 cubic yards of contaminated soil from several of the affected properties, and constructed the Maywood Interim Storage Site to hold the contaminated soil on the site of the former Maywood Chemical Company; and

WHEREAS, This contaminated soil is now stored on-site, shielded only by plastic coverings, which are not adequate to reduce the risk of injury to the health of the citizens residing in the vicinity of the Maywood Interim Storage Site and to reduce the risk of harm to the environment; and

WHEREAS, Thorium contaminated soil still must be removed at the site of the Maywood Chemical Company, which was purchased in 1959 by the Stepan Chemical Company, and at several other sites in Maywood, Rochelle Park, and Lodi that were contaminated by thorium waste from the Maywood Chemical Company site; and

WHEREAS, This widespread contamination threatens the public health, safety and welfare of the citizens of these communities; and

WHEREAS, Although the United States Department of Energy has been slow to develop a plan for the removal of this contaminated soil and the Environmental Protection Agency has not as yet decided on a final strategy for the removal of the thorium contaminated soil from these sites, the Nuclear Regulatory Commission has recently licensed a site in the State of Utah to accept this type of waste and the Department of Energy has made a commitment to remove all the contaminated soil to that site; and

WHEREAS, It is imperative that there be no further delay in the removal of the thorium contaminated soil from these sites and that immediate action be taken to permanently remove all thorium contaminated soil from the Maywood, Rochelle Park, and Lodi sites; now, therefore,



NEW JERSEY SENATE

RECEIVED
MAY 19 1994
BOROUGH OF
11768

BYRON BAER

SENATOR, 37TH DISTRICT

BERGEN COUNTY

125 STATE STREET

SUITE 208

NEWARK, NEW JERSEY 07101

PHONE 343-3333

FAX (201) 343-1594

May 17, 1994

Handwritten:
✓
Atty. Gen.
M. Palmer

Hon. Mayor John A. Steurt and
Members of the Council
Borough of Maywood
459 Maywood Avenue
Maywood, NJ 07607

Dear Mayor Steurt and Council Members,

Enclosed is a copy of SCR 66 dealing with the removal of all thorium waste from Maywood and from your neighbors in Lodi and Rochelle Park. This matter has been a nagging problem for Maywood's citizens for too long and calls for immediate settlement.

I'd like to draw your attention to the fact that the resolution addresses contaminants that might be underground as well as those found in the pile.

My office remains ready to do everything possible to assist you to reach a satisfactory conclusion. I welcome your advice and help.

Sincerely,

Byron Baer
Byron Baer
Senator District 37

JUN 15 1 37 PM '94

6-8-94

Dear Mr. Cange,

I just don't believe how and why the DOE can continue to ignore Maywood's residents and our local officials insistence on a proper clean up of toxic wastes in this area.

Does the town have to go to court to stop you? I hope they do. I will help lead the cheering and parading.

Serena McDonald
96 Parkway
Maywood, N.J.
07607

~~116998~~
DOROTHY ZAORSKI
166 East Magnolia Avenue
Maywood, NJ 07607

Telephone: (201) 712-0063

JUN 3 10 33 AM '94

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May 18, 1994

Ms. Susan M. Cange, Site Manager
Former Sites Restoration Division
U. S. Department of Energy
West Pleasant Avenue
Maywood, NJ 07607

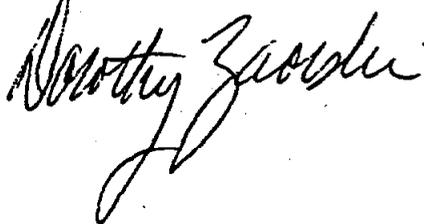
Dear Ms. Cange:

I was happy to receive your letter soliciting my comments. Most certainly I would like to be placed on the Maywood Site Mailing List.

I, like many others in my community, am concerned that the removal of the thorium-tainted soil may be delayed again. It is my feeling that the "washing" of soil is an unnecessary, delaying process.

Therefore, I am voicing my objection to the continued delay.

Very truly yours,



cc: RTorricelli, Congressman

Jun 15 1 38 PM '94

June 9, 1994

Dear Ms. Susan Cange, Site Manager:

Please accept this form letter that a neighbor has given to me to send to you for your solicitation of comments on the proposed clean up of the Maywood pile. I am opposed to the DOE proposal with the option of implementing volume reduction treatment, if feasible, for the following reasons:

- (1) The DOE's plan neither complies with state law nor affords an acceptable level of protection to the public.
- (2) Property values will probably decline if a DOE plan to leave "cleaned soil" with levels of 15 pCi/g or below on the site after soil washing (if it works) becomes a reality.

The DOE has claimed that they do not have enough money in their budgets to simply move out all the contaminated soil. It seems apparent that this issue is a political one since budgets are estimated through the political process. Has our children's health been overlooked in the politics of superfund?

Sincerely,

*Mr. John Williams
752 Palmyra Ave.
Maywood NJ
07067*

Jun 15 1 38 PM '94

June 9, 1994

Dear Ms. Susan Cange, Site Manager:

Please accept this form letter that a neighbor has given to me to send to you for your solicitation of comments on the proposed clean up of the Maywood pile. I am opposed to the DOE proposal with the option of implementing volume reduction treatment, if feasible, for the following reasons:

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Sincerely,

W. J. ...
5 ...
W. J. ...

Jun 14 2 11 PM '94

June 7, 1994

Dear Ms. Gorge,

I am totally against the idea of washing soil and cleaning soil with contaminants on the Maywood properties.

A clean-up of this kind ^{doesn't} allow unrestricted use of the properties.

Your own definition of unrestricted use is, Quote "Unrestricted use means that the property can be used for any purpose without regard to the radioactivity which used to be on the property. These uses could include anything - Farming, a Residence, a Playground, etc.", unquote

This rules out soil washing and 5-15 PCI/6 clean up levels.

Isn't time to give up?

Sincerely,
Debra Finch
70 Washington Ave.
Maywood, NJ 07607

DAVISON LATHAM 35011

117688

Rare earths - Rare earths refers to various types of metals present in the monazite sands. These were extracted from the monazite for their value. Rare earth metals include cerium, lanthanum, praseodymium, and neodymium.

Remedial action - Remedial action is a general term typically used to mean "cleanup of contamination." With reference to cleanup of the Davison and Latham properties, it means any action required to bring the property to a condition which will permit its release for unrestricted use. In practice, this may mean removing grass and soil, cutting trees, removing asphalt, etc.

Thorium - Thorium is a naturally occurring element which is recovered from monazite for commercial purposes. Monazite contains from 3 to 9 percent thorium oxide. The principal use of thorium to date has been in the preparation of gas lantern mantels because thorium oxide burns with a brilliant white light. Thorium oxide is also commonly found in high quality glasses and camera lenses because of its good optical characteristics.

Unrestricted Use - Unrestricted use means that the property can be used for any purpose without regard to the radioactivity which used to be on the property. These uses could include anything - farming, a residence, a playground, etc.

Uranium - Uranium is a naturally occurring, radioactive element. The principal use of uranium -- when refined -- is for the production of fuel for nuclear reactors. Uranium in its natural form (as it exists on the Davison and Latham properties) is not suitable for use as a fuel source.

Working level - Working level is a unit to measure the energy expended in air by radon or its radioactive decay products. The term was derived for use with uranium mine workers and has become the accepted unit for environmental measurements.

JUN 15 1 38 PM '94

June 9, 1994

Dear Ms. Susan Cange, Site Manager:

Please accept this form letter that a neighbor has given to me to send to you for your solicitation of comments on the proposed clean up of the Maywood pile. I am opposed to the DOE proposal with the option of implementing volume reduction treatment, if feasible, for the following reasons:

- (1) The DOE's plan neither complies with state law nor affords an acceptable level of protection to the public.
- (2) Property values will probably decline if a DOE plan to leave "cleaned soil" with levels of 15 pCi/g or below on the site after soil washing (if it works) becomes a reality.

The DOE has claimed that they do not have enough money in their budgets to simply move out all the contaminated soil. It seems apparent that this issue is a political one since budgets are estimated through the political process. Has our children's health been overlooked in the politics of superfund?

Sincerely,

*William J. Stewart**741 Palmer Ave**Wynonah NJ 07607*

117688

JUN 15 1 37 PM '94

June 8, 1994

Dear Mrs. Cange, Site Manager:

I am totally against the proposed DOE plan for the cleanup of the Maywood pile because remaining soils left after soil washing (if it worked) would mean the use of the site would be subject to restriction, essentially forever, and probably result in a decrease in property values in our community. More importantly, 15 pCi/g is not a health based standard which is unacceptable for this town of approximately 10,000 persons in a square mile area. Please record my comments for your report on the proposed cleanup of the storage pile.

Sincerely,

Ernest Louis Singer
Carol Singer

684 Cedar St.
Maywood NJ
07607

cc: Governor Whitman

Jun 15 1 36 PM '94

June 7, 1994

Dear Mrs. Susan Cange-

The following are my comments on the proposed cleanup of the Maywood pile as sought by your office by June 13, 1994. Please make this part of your record of comments from the public.

1. I support the DEPE of New Jersey in their stance as stated in The Record article "NJ balks at thorium cleanup" which I have attached.

2. I am against the 15 pCi/g standard being applied in my town because it is not a health based standard.

3. Maywood's population is approximately 10,000 persons in a square mile area with potential to increase due to its location. A 15 pCi/g would have negative consequences for central Bergen County.

Ship the wastes to a storage site in Utah as proposed:

ALL OF IT!!!

NOW!!!

Sincerely,

Barbara C Knight
140 Lafayette Ave

SATURDAY

117681

The Record

JUNE 4, 1994

Friend of the People It Serves

N.J. balks at thorium cleanup

By MICHAEL MOORE
Staff Writer

The state Department of Environmental Protection and Energy is refusing to approve the federal government's plan to remove thorium-tainted soil spread throughout Maywood and Wayne, a move that could further delay a cleanup first promised more than a decade ago.

Calling the federal Department of Energy's cleanup plan for 510,000 cubic yards of radioactive soil "dangerous to the public," the DEPE is withholding its needed approval until the federal agency agrees to meet stricter standards.

"We don't believe the DOE's cleanup plan either complies with state law or affords an acceptable

Asks U.S. to meet tighter standards

level of protection to the public," said Nick Martone, DEPE manager for the Maywood and Wayne sites. "We're not going to go along with this and give residents a false sense of security."

Trumpeted as one of the final obstacles to solving the radioactive soil woes of North Jersey, the DOE's long-anticipated cleanup proposal, hammered out with the federal Environmental Protection Agency, calls for contaminated dirt to be cleaned to a level of 5 picocuries of radiation per gram of soil in residential areas and 15 pi-

cocuries per gram in commercial districts.

But DEPE officials believe 15 picocuries is too high and want the 5 picocurie standard applied to both residential and commercial properties. Martone said cleanup cannot legally begin without DEPE approval.

A picocurie is a unit of radioactivity. Thorium is a radioactive element that breaks down into radon, a gas proven to cause lung cancer and other ailments.

Area officials support the DEPE's demand for a uniform 5 picocurie standard.

Wayne Mayor David Waks, who has been writing to the DEPE to push for stricter standards, ap-

See THORIUM Page A-8

THORIUM: State balks at U.S. proposal

From Page A-1

plauded the agency's decision. "I fail the DEPE," he said. "They're starting to see the light of day."

"At least the DEPE has taken a tough, protective stance. The federal agencies should get in line with the state's directive so we can clean this up quickly and safely."

id Bergen County Executive William "Pat" Schuber. "I will be pressing Governor Whitman to intervene and push the federal agencies to adopt the standards of the DEPE."

Whitman spokesman Carl Golden said the governor is aware of

North Jersey's thorium dilemma and is willing to intervene.

"The governor knows residents have a good cause for concern," he said. "This has to be cleaned up and, after consulting with DEPE commissioner [Robert Shinn], she will get things moving with the federal agencies."

But the DOE said New Jersey's apparent refusal to approve the plan could further delay the cleanup, first proposed in 1983.

"I don't know what will happen next and I'm not sure what the DOE or EPA's position is now," said Susan Cange, DOE site manager for Maywood and Wayne.

"It's too early to say what we'll do. We're still waiting to get the state's position in writing."

The EPA, which originally supported a uniform 5 picocurie cleanup standard but later backed off after grappling with the DOE for a year, said the federal agencies may have to reconsider their positions.

"It's understandable why the state has misgivings," said Jeff Gratz, EPA site manager in Maywood and Wayne. "Our assumption of 15 picocuries being protective may have to be reevaluated. We may have to look at a lower criteria."

The thorium is a byproduct of the manufacture of gas lanterns at the old Maywood Chemical Works between 1916 and 1956, and at the former W. R. Grace & Co. plant in Wayne between 1948 and 1971.

Officials fear that the process of developing new standards, coupled with the possibility of disagreement negotiating a compromise, could further delay the cleanup of the soil, just as the DOE and EPA squabble delayed the existing plan for 13 months.

"I hope this doesn't turn out like it did a year ago between DOE and EPA," Cange said. "But I can't say for sure that it won't."

Jun 15 1 35 PM '94

June 9, 1994

Dear Ms. Susan Cange, Site Manager:

Please accept this form letter that a neighbor has given to me to send to you for your solicitation of comments on the proposed clean up of the Maywood pile. I am opposed to the DOE proposal with the option of implementing volume reduction treatment, if feasible, for the following reasons:

- (1) The DOE's plan neither complies with state law nor affords an acceptable level of protection to the public.
- (2) Property values will probably decline if a DOE plan to leave "cleaned soil" with levels of 15 pCi/g or below on the site after soil washing (if it works) becomes a reality.

The DOE has claimed that they do not have enough money in their budgets to simply move out all the contaminated soil. It seems apparent that this issue is a political one since budgets are estimated through the political process. Has our children's health been overlooked in the politics of superfund?

Sincerely,

Rose Samulka
12 W. MAGNOLIA Ave
MAYWOOD, NJ 07607

117688

JUN 15 1 34 PM '94

June 6, 1994

Dear Mrs. Susan Cange:

For Your information on April 27, 1994 the Maywood Mayor and Council adopted Resolution #66-93 (attached) opposing the depositing of any contaminated soil on any property in the Borough of Maywood which should be reflected in any EPA/DOE proposed cleanup plan.

Copy was sent to EPA and DOE to make them aware of the sentiments of the Maywood Mayor and Council and residents.

YOUR SOIL WASHING WOULD VIOLATE THIS RESOLUTION !!!

So either clean all the wastes out or clear yourself out. Maywood residents have had enough!!!

Yours truly,

Thomas H. Bruny
73 Edgewood Place
Maywood NJ - 07607

CLERK
MARY ANNE RAMPOLLA, RMC
(201) 845-2900
FAX (201) 909-0673



BOROUGH OF MAYWOOD
459 Maywood Avenue, Maywood, NJ 07607

MAYOR
JOHN A. STEUERT, JR.
COUNCIL PRESIDENT
ANTHONY NAPOLI

COUNCIL MEMBERS
JOAN T. WINNIE
THOMAS M. BERNTSON
RICHARD P. O'NEIL
MICHAEL J. RUBER
ANNE SALVATORE SCHMID

RESOLUTION #66-93
OPPOSING THE DEPOSITING OF CONTAMINATED
SOIL IN THE BOROUGH OF MAYWOOD

WHEREAS, the Mayor and Council of the Borough of Maywood authorized a referendum in August of 1991, requesting voters of the Borough to express their opinion regarding the further storage of contaminated soil in the Borough of Maywood and requesting the expeditious clean-up of and removal of all contaminated soil from the Maywood interim storage site and vicinity properties; and

WHEREAS, on November 5, 1991, the voters of the Borough overwhelmingly indicated their support for the clean-up of the site, and vicinity properties and their opposition to any additional storage; and

WHEREAS, the Mayor and Council intend to emphasize to the appropriate authorities, including the Department of Energy and the Environmental Protection Agency, their continued opposition to the depositing of any contaminated soil on any property in the Borough of Maywood which should be reflected in any EPA/DOE proposed clean-up plan; and

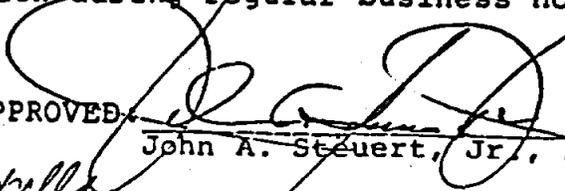
WHEREAS, the Mayor and Council also intend to call again for expeditious clean-up and removal of the thorium contaminated soil and other contaminants from the Borough of Maywood;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood that a copy of this Resolution expressing the intent of the Mayor and Council be forwarded to the Department of Energy and the Environmental Protection Agency to make the said authorities aware of the sentiments of the Mayor and Council and the residents of the Borough of Maywood; and

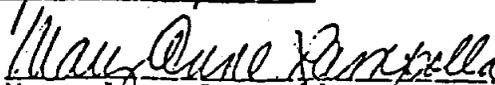
BE IT FURTHER RESOLVED that a copy of this Resolution be sent to Congressman Robert G. Torricelli and County Executive William P. Schuber to ask them to continue to use their good offices to protect the residents of the Borough of Maywood from the environmental concerns arising out of the contaminated soil referred to above; and

BE IT FURTHER RESOLVED that a copy of the within Resolution be on file in the Office of the Borough Clerk and be available for public inspection during regular business hours.

Date: April 27, 1993

APPROVED: 

John A. Steuert, Jr., Mayor

ATTEST: 

Mary Anne Rampolla, Borough Clerk

Keith & Sara Kozaryn
607 Oak Avenue
Maywood, NJ 07607

JUN 15 9 22 AM '94

117688

June 6, 1994

Ms. Susan M. Cange, Site Manager
US Department of Energy
Former Sites Restoration Division
PO Box 2001
Oak Ridge, TN 37831-8723

Re: Proposed Cleanup of Storage Pile

Dear Ms. Cange

We do not share your happiness. The proposal to use soil washing as an option for cleaning up the Maywood Interim Storage Site (MISS) is not encouraging. The cleaning method is unproven. As stated in preliminary laboratory experiments, soil washing may only clean to between 5 and 15 picocuries. The EPA supports an established "health based" level not to exceed 5 picocuries.

We cannot understand the thoughtlessness shown by the DOE towards the residents of Maywood. This is a public health hazard. It is situated near a community pool and residential housing. Anything short of excavation and disposal to a permanent site will be unacceptable.

A secondary issue is the potential reduction in property value. The devaluation of our house does not sit well. There is no way we will sit idly by while our community is destroyed by non-resident individuals.

Permanent disposal just might be far less expensive in the long run.

Sincerely,


Sara Kozaryn
Keith and Sara Kozaryn

117688

JUN 15 9 22 AM '94

June 7, 1994.

Susan Cange, Site Manager
U. S. Dept. of Energy
Former Sites Restoration Division
P. O. Box 2002
Oak Ridge, Tennessee 37831-8723

Dear Ms. Cange:

I was under the impression that all the Thorium that is stored in Maywood was going to be removed. I was very upset and concerned to find out that this is not the case. From what I understand, the DOE cleanup plan will be leaving a 15 picocuries per gram at the Maywood dump site, thus making Maywood a permanent dump site for this hazardous material.

My concerns first are of a medial nature. Within my neighborhood of Belle/Edel Ave. there have been at least 6 adults with cancer. Four have died and 2 are undergoing cancer therapy. There also 4 children born with birth defects and one child has died from SIDS. My son Brian was born with a congenital heart defect in 1981. It is very alarming that within a 2 block area of about 20 homes there has been 10 incidences of cancer or birth defects.

Maywood is a very nice community to live in and raise a family. It is definitely your typical small town community. It is be no means a commercial town. With the DOE's method of removing the Thorium, leaving 15 PCI's per gram it will make Maywood seem like it is a commercial area. This waste that will be left behind will have a negative effect on our community when it is time for a home owner to sell his home.

117688

I feel very strongly that it is the chemical company's responsibility to pay for the total cleanup of the Thorium in Maywood and other communities where they dumped this hazardous material. The local towns and the State of New Jersey should not have to pay for this cleanup. I feel that the families have suffered enough by losing a relative or friend to cancer or having a child born with a birth defect.

Very truly yours,



Arlene Formisano
608 Edel Avenue
Maywood, N. J. 07607

117688

JUN 15 9 21 AM '94

June 1, 1994

Dear Ms. Cange:

We reject your desire to be allowed to "clean" only to a level of 15 pci/g but you will make a best effort to approach the 5 pci/g where possible. From Maywood's experience with DOE we cannot trust you for a best effort if it would cost more than you like.

Also we reject having 15 pci/g material remain since it means the site properties will be subject to restrictions probably forever which is certain to also have an effect on adjoining property values.

We reject also any need for delay to do a 5 pci/g clean up if you are directed to stop manufacturing any more delays.

Yours,

Wois + Richard Lehl
590 Grant Ave
Maywood NJ
07607

cc: Carol Browner, EPA Administrator
Hazel O'Leary, DOE Secretary
Governor Christie Whitman

117688

JUN 15 9 21 AM '94

Margaret M Keane
100 Lenox Ave
Maywood NJ 0760

June 4, 1994.

Dear Mr. Carge,
when does the D.O.E. truckery
stop.
You really do not mean it when
you say the Maywood file will be
shipped out sometime in October.
You really want to leave as much
of it sitting as you will be
allowed. You want to soil
wash it which you can't prove
works. You want to delay for
several years while you play this
game.
We say no! You are going to play
sneak & again, as you did with
the Red stuff a few years ago!!
Either take the stuff out or take
yourself out. Either way let's have the
Clean South.

Sincerely,
Margaret M Keane

117688

Jun 15 9 19 AM '94

U.S. Department of Energy
Former Sites Restoration Division
P.O. Box 2001
Oak Ridge, Tennessee 37831-8723

I am a resident of Maywood and I
am totally against soil washing. If this
occurs Maywood will become a permanent dump
site. This is a residential community not
an industrial waste dump and I am appalled
that this could even be an option.
We have children growing up here! I think
the DOE should remember who they work for.

May Ann Donnelly
754 Spring Valley Road
Maywood, New Jersey

JUN 15 9 14 AM '94

1176

Dear Mrs Cange,

Enclosed is a flyer I received at the Maywood Sidewalk Sale several weeks ago.

First let me say I object to your soil washing and pile removal plan instead of a 5 pCi/g clean up which seems to have been conducted at other superfund sites.

The flyer quotes your Mr. Seay that EPA could come in and continue the DOE's efforts without interruption and DOE would not fight to keep the project and would do what Congress tells you.

Since you are pleading shortage of funding, let EPA take over the project with funding from their superfund and the responsible party.

Yours truly,

Norma Koester (NORMA KOESER)
210 Maywood Ave, Maywood, N.J. 07607

cc: Governor Whitman

DOE: EPA could lead thorium clean-up

By CHRIS WEIDENBERG
Of The Shopper News

MAYWOOD — A U.S. Department of Energy (DOE) official has indicated that the DOE would not oppose any effort to legislatively remove the thorium project from its hands and hand it back to the U.S. Environmental Protection Agency (EPA) — if that is what lawmakers and residents want.

"We do exactly what Congress tells us," said William Scay, with the DOE's Oak Ridge, Tenn. operations office.

"We didn't fight against taking this project and I'm sure the DOE is not going to fight to keep a project like this because we have no basis to do so."

"I could not imagine that the DOE's feelings would be hurt at all," he added.

Scay seemed to suggest that the EPA could come in and continue the DOE's efforts without interruption, since it has all of the department's information pertaining to the thorium study, and oversees the process.

117688

QUESTIONS AND ANSWERS EXCERPTED FROM TAPED MEETING BETWEEN MAYWOOD CONCERNED CITIZENS AND N.J. DEP OFFICIALS HELD ON OCTOBER 24, 1985 IN OUR LADY OF QUEEN PEACE SCHOOL, MAYWOOD, N.J.

AMONG THOSE ALSO PRESENT: BOB ATKINS--(DOE) -- BECHTEL's MR. CROTWELL -
MAYWOOD's ADVISOR: DR. VAN PELT, HEALTH PHYSICIST

VOICES ANSWERING QUESTIONS ARE THOSE OF ARNOLD SCHIFFMAN AND
DR. JORGE BERKOWITZ of DEP

NOLAN: "If DOE tries to make the site permanent, what do you do?
What does the State do?"

BERKOWITZ: "If DOE tries to make the site permanent - I think the State of NJ proceeds to pursue what actions if feels is responsible action that would be consistent with its position, and that basically means that it doesn't accept it - it fights it."

NOLAN: "Can it fight the government?"

BERKOWITZ: "It sure can."

NOLAN: "If DOE leaves and they have threatened that they would leave, we - at least our officials have told us that..."

SCHIFFMAN: "What happens to the clean up activity?"

NOLAN: "What does the State then do, as far as..."

SCHIFFMAN: "I think the State's position is..."

Interruption By:

BERKOWITZ: "It will have to be cleaned up.

It is a Superfund site as well as a FUSRAP site and as such, it has it be cleaned up.

Not only does it say that - the DEP says it has to be cleaned up - the United States EPA (says it) has to be cleaned up. And it is our responsibility to clean up the site irrespective of what funds clean it up."

SHIFFMAN: "That's right - that's the answer.

* * * * *

117688

JUN 15 9 13 AM '94

June 6, 1994

Dear Miss Cange,

Last year DOE'S proposed alternative was phased action and offsite disposal, but EPA said your clean-up should be 5 pci/g, not 5-15 pci/g. After almost a year, EPA was "persuaded" to agree to the non-health based 5-15 standard.

EPA reviewed your April 1993 draft proposed plan-feasibility study and enviornmental impact statement. I read Mr. Gratz's May 21st 1993 letter to you.

So where is the proposed plan for clean up? Now it's on the back burner. Now it's the pile and soil washing.

We say No Thank You. It's time to start digging and dump all the wastes in Utah.

Sincerely,

Cesare J. Parodi
Ethel J. Parodi

Cesare J. Parodi

Ethel J. Parodi
57 Belle Avenue
Maywood, N.J. 07607

117688

Jun 15 9 12 AM '94

578 Palmer Avenue
Maywood, New Jersey 07607

June 6, 1994

U.S. Department of Energy
Former Sites Restoration Division
P.O. Box 2001
Oak Ridge, Tennessee 37831-8723

Attn: Susan Cange, Site Manager
Former Sites Restoration Division

Gentlemen:

As residents and home owners in Maywood, New Jersey, we are very concerned about the health not only of our family but of all residents of Maywood.

We are not interested in any soil washing. We feel the only step to be taken is to remove the thorium and soil below the thorium pile. It should be taken to a permanent dump site OUT OF MAYWOOD.

Sincerely,


Joseph V. Ermilio
Dorothy Ermilio

117688

Jun 15 9 11 AM '94

June 4th 1994

Dear Susan M. Cange, Site Manger
Former Sites Restoration Division

I Don't like the compromise
the DOE is trying to push over on the
homeowners of Maywood. The site is too
close to residential areas to allow soil
to be cleaned to 15 pci/g. This is
too high and standards should be
5 pci/g in all areas.

Better yet complete removal
is the Best choice it is also the
Healthest choice for Residents of
Maywood. Too much damage has
been done and more is still
unfounded, So start excavating
now!!

Sincerely
ALbert + Lynn D'Hyuetter
53 Washington Ave
Maywood NJ 07607

JUN 15 9 06 AM '94

June 6, 1994

Dear Mr. Cange,

The soil-washing process proposed by the Department of Energy for the removal of thorium in Maywood does not solve the problem. This is merely an attempt to reduce the costs of excavation and transportation but short changes the health and future of Maywood's residents.

The only solution is obvious to all Maywood residents. The excavation and shipment of all thorium materials to Utah must be approved by the DOE and EPA. Anything else would be a travesty to the people of Maywood.

Sincerely,
Barbara Johnson
351 Golf Avenue
Maywood, N.J.

June 1, 1994

Dear Mr. ~~Mr. P. 9-26 AM '94~~ M Cange,

Wayne, N.J. does not want soil washing. They want excavate + disposal off site.

Maywood N.J. wants the same thing and opposes soil washing which Mr. Grady of the E.P.A. stated leaves residuals thus creating a permanent disposal area.

The Mayor of Wayne publicly proclaimed he will go to court against a 15 pc-g soil washing removal action.

I hope our mayor will do the same since we had a town referendum which clearly showed that the townspeople of Maywood want the toxic waste out!!!

Maybe we need more nuns, priests + townspeople picketing with T.V. coverage.

An angry citizen

Rocco Ferrante
113 Stoughton

Maywood N.J. 07607

622 Haywood Avenue
Haywood, New Jersey 07607

117688

JUN 15 9 07 AM '94

June 4, 1994

U.S. Department of Energy
Former Sites Restoration Division
Att: Susan M. Cnage, Site Manager
P.O. Box 2001
Oak Ridge, Tennessee 37831-8723

Dear Ms. Cnage,

I am enclosing a copy of a letter to the Editor of the Our Town Newspaper, March 31, 1994, written by Louise Torell.

I believe every paragraph should be included in your report of citizen's comments made on what you call an EE/CA for the contaminated pile of soil in Maywood.

I totally agree with Ms. Torell so consider them my comments as well.

Is it not long overdue for Maywood to finally be Hazardous free?

How could the E.P.A. agree to a 15 Pci/G when they have yet to find out how it could effect the residents in the community. How could the D.O.E. do the same?

I do not want any of the soil left in my town. The entire pile should be excavated and removed permanently!

Sincerely,


Michael Nappi

Jun 15 9 11 AM '94

117688

June 6, 1994

U.S. Department of Energy
For Sites Restoration Division
P.O. Box 2001
Oak Ridge, Tennessee 37831-8723

Re: Maywood Site - Proposed Cleanup of the Storage Pile

Dear Sir/Madam:

We have been residents of Maywood for 6 years. We have a small child and are deeply concerned about this so called interim storage site. In reading various articles and hearing various conversations within the town, we were under the impression that this storage pile was going to be removed. We have recently learned that there is a proposal to wash the soil. We are completely against this for the fear of endangering our health and also for our home depreciating in value because of this.

Maywood is nothing but a residential area, there are no high-risers, no big businesses or factories, therefore we totally disagree when we are told that Maywood is not a residential area. We think it is inexcusable that our health and our childrens health be put in danger.

Sincerely,

Robert & Lisa Fiscina
47 West Grove Avenue
Maywood, New Jersey 07607

Hester K. Power
62 Belle Ave.
Maywood N.J.
07607

June 3, 1994

JUN 15 9 08 AM '94

Dear Mrs. Cange:

117688

Please allow me to use the April 21st, 1994, enclosed letter to the editor as my comments. Also, against your pile plan and especially your soil washing.

Mr. Parodi's letter certainly tells it like it is: NJ DEPE + USEPA clearly proved 15-PCI-6 is not a health based standard & cancer risks are involved. Mr. Torricelli said concerns of Maywood citizens should be reflected in the final plan.

It should reflect - "Excavate & dispose of Utah - no unproven soil washing delay - no more interim or permanent disposal right - shipment of all waste direct to Utah."

Why do you ask for comments and then ignore them?

Sincerely
Hester K. Power



Letters to the Editor

Parodi . . .

Dear Editor -

By waiting a week on your thorium birthday present article, you could have saved Congressman Torricelli from extreme embarrassment and asked him what's going on? Who is pressuring whom?

You quoted him on March 21, standing by the pile that he created, on the Maywood Interim Storage Site (MISS) he helped create via an agreement between the Department of Energy (DOE) and Stepan Company. Without a MISS, the hazardous wastes would have been shipped elsewhere just like at Montclair, Glen Ridge, West Orange, etc. Yes, excavate and dispose out of state. The NJ Department of Environmental Protection and Energy (NJDEPE) plan for Maywood was used for Montclair instead. You stated that Torricelli said the pile removal will take two to three years and DOE will release its plans in May for all the wastes beneath the MISS and at various residential and commercial properties in Maywood, Rochelle Park, and Lodi.

Also, that DOE plans to use a "soil washing" process to separate and reduce volume of contamination from clean soil. A process that *did not* work at the Montclair area sites and Maywood has *higher* concentrations of radioactive material than Montclair!

Finally, you said Torricelli made assurances that it is both the DOE and his intention to see to it that the clean up be carried out to the highest Environmental Protection Agency (EPA) standards. But three days later, on March 24, Senator Lautenberg announced that EPA and DOE had now agreed on "strict" cleanup guidelines of 5 pci/g above background for residential properties and 15 pci/g for commercial/government areas of the site. The

residential are in Lodi and Rochelle Park. Then there will be "inaccessible" properties, like under buildings, which will be ignored until they are demolished in the future or otherwise. If soil washing worked, the soil left behind can be contaminated as high as 15 pci/g, with no limits under the buildings. Thus along with unremediated soils under buildings, Maywood will be changed from an Interim Storage Site to a Permanent Disposal Site. But they promised five-year reviews to insure human health remains "protected"?

The state cleanup standard is 5 pci/g and NJEPA and USSEPA had clearly proven that 15 pci/g is *not* a health based standard and cited cancer risks involved.

As late as November 1993, six months after the Maywood dispute started, the EPA issued the action criteria for a West Chicago site, with the same kind of waste. They cited the law to prove 5 pci/g is a health based standard for cleanup of the residential areas *including* commercial, institutional and municipal properties. And that 15 pci/g is not a health based standard! But on March 24 the New York EPA acting administrator caved in by ignoring the EPA's own health based facts. Who is responsible? An investigation is in order. Let's call it "Backwater."

Our state officials must stand firm. Our local officials must urge the NJDEPE to insist on a 5 pci/g cleanup of all contaminated soil wherever it is, and the County and State Boards of Health as well! Mr. Torricelli said, "I will be working closely with both departments to ensure that the concerns of the citizens of Maywood are reflected in the final plan."

So be it. Excavate and dispose at Envirocare, Utah. No unproven soil washing delay. No more interim or permanent disposal site.

Eustace . . .

Dear Editor -

This letter is to urge Maywood Citizens to attend the April 27th meeting on the proposed new borough hall. This is a chance for us to ask questions and present our views about what we think Maywood should spend our future on.

An interested group of taxpayers could effectively sway our representatives to do just that, represent us!

Sincerely,
Timothy J. Eustace, D.C.
140 West Pleasant

~~~~~  
Shipment of all wastes direct to Utah!

Maywood officials should insist now that these positions be reflected in the DOE proposed plan unless they disagree with Mr. Torricelli as Senator Lautenberg does.

Sincerely,  
Chuck Parodi  
48 West Grove

117688

JUN 15 9 06 AM '94

June 6, 1994

U. S. Department of Energy  
Former Sites Restoration Division  
Att: Susan M. Cange, Site Manager  
P. O. Box 2001  
Oak Ridge, Tennessee 37831-8723

Dear Ms. Cange:

Enclosed is a flyer I received at the Maywood Sidewalk Sale.

First, I would like to object totally to your plan of soil washing and pile removal instead of getting on with a full cleanup.

The flyer quotes Mr. Seay claiming that the EPA could come in and continue the DOE's efforts without interruption and DOE would not fight to keep the project and would do what Congress mandates.

Since you are pleading a shortage of funding, let EPA take over the project and use money from the Superfund.

Sincerely,  
P. Paccian  
618 Maywood Ave

618 Maywood Avenue  
Maywood, New Jersey

117688

Jun 15 9 06 AM '94

June 1, 1994

U.S. Department of Energy  
Former Sites Restoration Division  
Att: Susan M. Cange, Site Manager  
P.O. Box 2001  
Oak Ridge, Tennessee 37831-8723

Dear Ms. Cange;

I am opposed to your plan of soil washing and tests. If the soil washing works, it is logical to assume that the contaminated soil would be left in Maywood. Some of that soil is from Lodi and Rochelle Park and I sure you are aware that Maywood strongly opposes this. Still you ask for comments.

In a copy of Hazardous Waste News #371, it reports "A higher prevalence of birth defects and liver disease among persons living near a thorium waste disposal site in Wayne, New Jersey". You want to wash and leave the soil in Wayne, too. Maywood has the same kind of waste. I can't help but wonder what the consequences for the people of Maywood will be. Has a proper study of possible health risks ever been conducted? In my opinion, there are no acceptable levels of radioactivity.

It also says "There is a move afoot now in Washington and in the mass media to divert attention away from the problem of toxic wastes. The goal seems to be to cut funding for the Federal Superfund Program of toxic waste cleanup. It seems clear that such a move, if successful, will result in increased health costs for the American people." What will be Maywood's costs be?

Is President Clinton in favor of this? Maywood and Wayne ARE NOT. Move all the soil out as promised and promised, or move the D.O.E. out land let E.P.A. or the state manage it.

Very truly yours,



A. M. Pacciani

C/C President Clinton  
Governor Christine Whitman

June 5, 1995

117688

JUN 15 9 04 AM '94

Susan Cange, Site Manager  
U.S. Dept. of Energy  
Former Sites Restoration Division  
P.O. Box 2001  
Oak Ridge, Tennessee 37831-8723

Dear Ms. Cange:

I am pleased that the Department of Energy is committed to removing the contaminated soil in Maywood. However, I am quite displeased with the option of soil washing possibly to be undertaken in such a densely populated region. There is only one safe alternative and that is the removal by excavation and shipment to a permanent storage site.

The people of Maywood deserve the safest removal. Maywood cannot take any more risk to the health of its citizens.

Sincerely,



Annette Schmidt  
97 Belle Avenue  
Maywood, NJ 07607

June 8, 1994

117688

JUN 14 9 06 AM '94

Susan M. Cange  
U.S. Department of Energy  
Former Sites Restoration Division  
P.O. Box 2001  
Oak Ridge, Tennessee 37831-8723

Re: Maywood Interim Storage Site

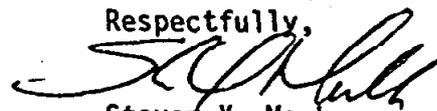
Dear Ms. Cange:

In Response to the proposed soil washing of the contaminated soil located in Maywood, New Jersey, GIVE US A BREAK !!! The figures and ideas represented as to the soil washing are nothing short of a scam. Any person associated with this type of situation and a reasonable intellect can see that. This is nothing more than a pacifying maneuver in which a feeble attempt is being made to silence the people who are directly affected by this. What they are doing is risking human lives to save few dollars.

Years ago, they said that the site was not a problem. Then they said if they bury it, it wouldn't be a problem. Then after determining how dangerous it really is, they came up with the correct answer. Remove it in it's entirety and dispose of it. Now they say, it's not that bad, if we wash it we can make it safe and in the mean time save some money. How absurd ! With all the time and effort spent on this issue so far, if they would have just removed it as originally planned it would be gone and done with instead of wasting more time and money. We could use the resources for more practical ideas. As has been shown in the pass, these new "revelations" of safety limits in regards to the soil washing proposed, will again be found to be erroneous and once again we will be right back where we started wasting more time and finances but more importantly exposing and risking human lives needlessly. I say why not just dispose of it and be done with it. It's the only logical way and the only RIGHT thing to do.

Ms. Cange, it is easy for people who are not directly affected by this nuclear poison to sit back and say "don't worry, everything will be fine". As a life-long resident of Maywood, not only is my physical health, livelihood and property value under a direct assault, most importantly my childrens futures and their childrens futures are at risk. For less money than they waste on bogus government studies and programs, you can dispose of and be done with once and for all with this most dangerous situation for which there is ultimately only one solution, REMOVE AND DISPOSE OF COMPLETELY !!! We all know this is the RIGHT thing to do.

Respectfully,



Steven Y. Mark  
83 Belle Avenue  
Maywood, N.J 07607

cc: Carol Browner (EPA)  
Hazel O'Leary (DOE)  
Governor Whitman  
Senator Lautenberg

David & Michele Holmes  
605 Oak Avenue  
Maywood, NJ 07607-1515

117688

Jun 14 9 06 AM '94

June 4, 1994

Ms. Susan M. Cange, Site Manager  
U.S. Department of Energy  
Former Sites Restoration Division  
P.O. Box 2001  
Oak Ridge, TN 37831-8723

Re: NOT "HAPPY"  
Proposed Cleanup of the Maywood Interim Storage Site

Dear Ms. Cange

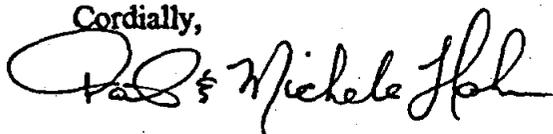
Firstly, we do not share your happiness regarding the DOE's proposal to consider volume reduction treatment as an option.

The volume reduction is nothing more than "soil washing" which is an unproven cleaning method. As you well know in preliminary experiments, performed by your department in conjunction with the EPA, there is no guarantee that a level of 5 picocuries can be achieved. The soil washing, at best, may clean to a level between 5 and 15 picocuries. It is unconscionable that the DOE would permit such a site to exist so close to a community recreational facility frequented by children, let alone residential homes. The EPA supports the established "health based" level of less than or equal to 5 picocuries. Why should we accept anything less?

Secondly, the value of real estate will decrease in Maywood as a result of the site having gone through an "approved" DOE remediation. I believe you are aware of the "No Further Action" (NFA) sites being published in the Comprehensive Site List. We do not appreciate the "American Dream" being tampered with or destroyed.

Thirdly, we are positive that if the hazardous material was excavated and disposed of from the onset the cost would have been far less than the mismanaged tab currently being run up. We assure you this is one cause worth fighting.

Cordially,



David & Michele Holmes  
Maywood Residents

117688  
51 West Grove Ave  
Maywood, MD  
June 4, 1994

JUN 15 9 03 AM '94

US Dept of Energy  
PO Box 2001  
Oak Ridge, Tenn

Dear Ms. Carg:

I am writing this letter in response to the proposed cleanup of Maywood. My wife and I have lived in Maywood since 50 years. We have raised our children in this residential town.

Please be advised that we are 100% against storage in our small town of 2 miles. It is Maywood's market to our health. Has devalued our homes, and may have untoward effects on all our fellow Maywooders. I think a more desolate, unpopulated area is located in this West County of MD.

Very truly yours,  
Robert Rich Fritz

Jun 15 8 59 AM '94

June 5, 1994

Dear Ms. Cange,

I am against your soil washing plan for the following reasons:

1. Noise levels will probably be higher than Maywood's noise code
2. Your "cleaned soil" after soil washing can't be placed back into the pile immediately, meaning more piles being formed and more contaminated dust getting into the air,
3. Most likely, Maywood would become a soil washing regional center for other surrounding towns (if soil washing worked) due to the size of the soil washing machine needed for this site and because of the DOE's attempt to cut costs.

In closing, please record my comments in the public comment section of your report. You can also send me a written reply to these questions,

Sincerely,

*Barbara Cassidy*  
*Bob Cassidy*  
170 Ward St.  
Maywood NJ 07607

117688

JUN 15 8 54 AM '94

6/6/94

Dear Ms. Susan Cange,

Your FUSRAP Update flyer says you seek public comment for your MISS pile clean-up plan. This flyer says:

Data reviewed have shown that 5 pCi/g level was met in the majority of cleanup efforts where the standard was 15 pCi/g.

Please mail me this data you based this statement on. I believe the only way this could have been achieved is by removal- not soil washing.

Did you reach this health based standard of 5 pCi/g in your Montclair cleanup?

I feel, after speaking with members of the Maywood Concerned Citizens, that your statements have been misleading in the past and that this is another example via this slick public relations flyer. The costs of this flyer should have gone to paying for ...

**COMPLETE & IMMEDIATE PILE REMOVAL!!!**

Please make this letter part of your public comments section in your report.

Sincerely,

*Joyce L. Drives + Family*  
92 E. Magnolia Ave.  
Maywood NJ 07607

## A Note from Lee Woods, Information Coordinator

The DOE Public Information Center and I are celebrating our second year as part of the Maywood community. A lot has happened for me and the Information Center during that short time.

The opening day was April 9, 1992; I had no idea what to expect. It was a slow start. In the beginning, the questions asked most often by visitors were "What is this place?" and "What do you do here?" When I explained the administrative record, the information repository, available fact sheets, and the history of the Maywood Interim Storage Site, they were amazed at the amount of information that was available. Some have sent their children to the Information Center to do their term papers. Many residents have

come in with questions and concerns that are serious and important to them. They want answers right away, and the Information Center offers them someone to speak to. Some visitors have other concerns—they ask for bus schedules, doctors' addresses, state agency phone numbers, and even a glass of water.

My two years at the Information Center have exceeded my expectations. It is satisfying when college students who come in to work on a term paper are surprised at the information available, and it's very rewarding to help people find answers to questions of great concern to them. And helping the historical committee prepare a presentation for the Maywood Sidewalk Sale



helped me to learn a lot about the history of Maywood.

If you haven't had a chance to visit the Information Center yet, I hope you will!

## Site Cleanup Criteria Resolved

In March, DOE and EPA agreed on the cleanup criteria to be used for radioactive contamination at the Maywood site.

After much discussion and analysis, the agencies agreed that cleanup criteria will be determined based on site-specific risk analysis for different land uses.

Residential properties will be cleaned to 5 picocuries per gram (pCi/g) above the naturally occurring level of background radiation in the area. Soils greater than six inches deep on commercial and govern-

ment properties will be removed to attain a level of no more than 15 pCi/g above background, with a further goal of 5 pCi/g above background to be met where possible. Data reviewed have shown that

the 5 pCi/g level was met in the majority of cleanup efforts where the standard was 15 pCi/g. Risk analysis, using very conservative assumptions, has shown that these levels are protective of human health and the environment.

With these criteria, cleanup efforts at the Maywood site should proceed in a timely, safe, and cost-effective manner.

*Data reviewed have shown that the 5 pCi/g level was met in the majority of cleanup efforts where the standard was 15 pCi/g.*

117688

JUN 15 8 53 AM '94

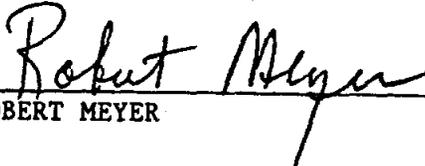
480 Hill Street  
Maywood, NJ 07607  
June 7, 1994

Susan M. Cange, Site Manager  
U.S. Dept. of Energy  
Former Sites Restoration Division  
P.O. Box 2001  
Oak Ridge, TN 37831-8723

Dear Ms. Cange:

I was glad to read that the State of New Jersey refused to approve your so called clean-up Plan.

I also oppose your plans including this soil washing business and especially not cleaning up to the State standard.

  
ROBERT MEYER

11768

JUN 15 8 49 AM '94

June 3, 1994

Ms. Susan Gange:

I am a 76 year old senior and have lived in Maywood for over 41 years. I lost my wife 2 years ago and my son takes care of my home for me.

This home is all I have and I don't want it poisoned by this Thorium pile anymore. You have promised it's disposal for as long as I can remember and I want it removed.

My home is my only investment and by leaving contaminated soil in Maywood under 15pCilg, you make Maywood a permanent waste site and hence lower my home value.

Thank you for your attention.

Mr. Angelo Caso  
428 Poplar Ave.  
Maywood, N.J.

117688

JUN 15 8 44 AM '94

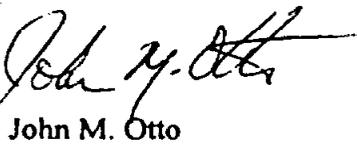
June 8, 1994

Ms. Susan Cange, Site Manager  
U.S. Department of Energy  
Former Sites Restoration Division  
P.O. Box 2001  
Oak Ridge, Tennessee 37831-8723

Dear Ms. Cange,

As a homeowner and resident of Maywood I am writing with regards to the cleanup of the storage pile located at the Maywood Interim Storage Site. The recent statements attributed to Mr. Nick Martone, the state Department of Environmental Protection and Energy site manager calling the DOE's cleanup plan "dangerous to the public" as reported in The Record newspaper has me deeply concerned. As you are aware, Maywood is mostly a residential community, not a commercial district, and as such, the 15 picocuries of radiation per gram standard used for commercial areas should not apply to the proposed cleanup program for Maywood. I would hope that the DOE, together with the EPA, could formulate a process and procedure for the removal of thorium-tainted soil in Maywood taking care to protect the safety and health of the citizens they serve.

Sincerely,



John M. Otto  
77 Lenox Avenue  
Maywood, N.J. 07607

117688

JUN 15 9 28 AM '94

23 Stelling Avenue  
Maywood, N.J. 07607  
June 6, 1994

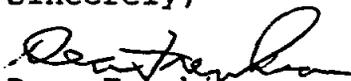
Susan M. Cange  
Site Manager  
U.S. Department of Energy  
Former Sites Restoration Division  
P.O. Box 2001  
Oak Ridge, Tennessee 37831-8723

Dear Ms. Cange:

As a life long resident of Maywood who has chosen to raise my children in the same town in which I grew up, it is with much alarm that I have read of your agency's recent proposed solution regarding the contaminated thorium soil stored at the Maywood Interim Storage Site.

Your tentative plan to implement volume reduction treatment (soil washing) as a means to solve Maywood's thorium problem is totally unacceptable. There is no guarantee that soil washing will effectively remove all the contaminants from the site. There is no doubt, however, that shipping the entire pile to the Utah storage site will. When carcinogenic materials are involved, every citizen has the right to expect his government to guarantee their total removal. This is the only way to ensure the elimination of the potential health risks associated with these deadly materials. Thank you for your consideration in this matter.

Sincerely,

  
Dean Frenkian

117688

JUN 15 9 26 AM '94

June 5, 1994

Dear Ms. Cange:

I am enclosing a picture from the newspaper showing how property in Glen Ridge, New Jersey, is cleaned.

There is no reason you cannot do the same for the Lodi properties and no need for years of delay with your soil washing plan.

Just bag it and start getting it out. You are not going to dump some of your surrounding contaminated soils from nearby towns in Maywood.

Sincerely,

*Martha DeYoung*  
*8 Orchard Place*  
*Maywood, NJ 07607*

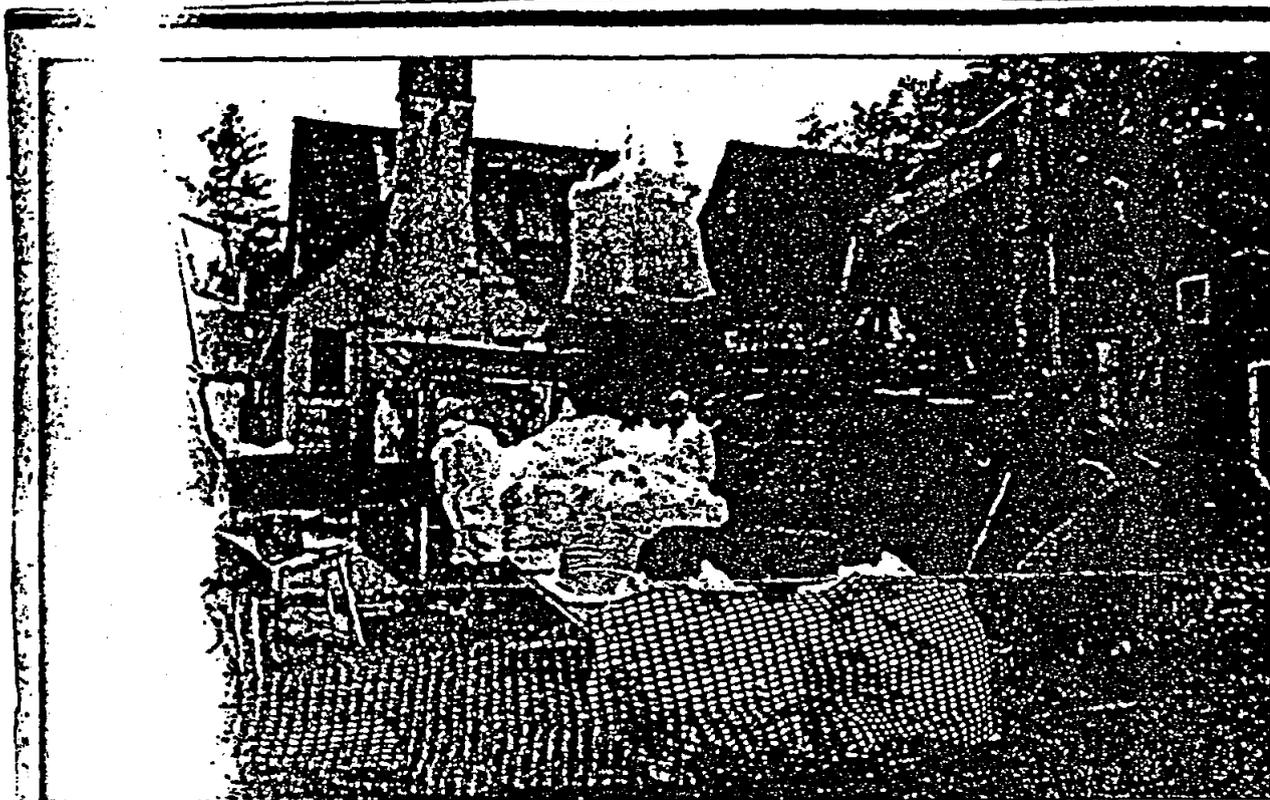


Photo by Joe Gigli

From an environmental cleanup concern removing radioactive soil from the yard of a home on Lorraine Street in Glen Ridge

JUN 15 9 23 AM '94

117688

36 E. Magnolia Ave  
Maywood, TN 07607  
June 4, 1994

Ms. Susan Cange  
U.S. Dept of Energy  
Former Site Restoration Div.  
P.O. Box 2001  
Oak Ridge, Tennessee 37831-8723

Dear Ms. Cange:

These are my comments which say No to your proposed plan to remove soils and debris from the waste pile in Maywood.

Last year you were supposed to show us the clean up plan for the whole project. Instead you started the 6 1/2 game. After a year you changed nothing.

Except instead of the whole clean up plan, you now want to play laundry with the pile only until 1996. NO WAY!

-2-

More than that you want to leave wastes  
in my wood permanently! NO WAY - NO WAY!

What is the timetable for this project anyway  
and not just the file? Let's talk  
clean up or state take over of site.

A Concerned citizen,  
Pat Schmitt

117688

JUN 15 9 23 AM '94

June 2, 1994

Ms. Cange:

I have seen page 34 in your book about the pile removal and soil washing.

Surely you are aware that our mayor and council have notified you and the EPA that they oppose soil washing and leaving wastes behind and want a 5 pci/g clean up.

Your page 34 states the removal with option would be conducted only with the approval of the affected local authorities. That kills soil washing!

What about removal with the 5-15 level? Are you going to again defy Maywood officials and residents? We will not roll over to your arrogance. It is 5 pci/g or say good by!

Yours truly,

*Dawn M. Andrews*  
504 Maywood Avenue  
Maywood, Nj 07607

cc: President Clinton  
Governor Whitman

#### 4.2.2 Availability of Services and Materials

Availability does not apply to Alternative 1, the no-action alternative. The services and materials required to implement Alternatives 2 and 3 are readily available.

#### 4.2.3 Administrative Feasibility

Administrative feasibility considerations include the potential of a proposed action to achieve response objectives and to satisfy state and local concerns. These concerns include permitting and interagency cooperation, public and occupational safety, transportation factors, impacts on land use and values, compliance with policies and requirements, and public acceptance. The NCP specifies that a formal community relations plan be developed to provide information to the public and to obtain public comment. A site-specific community relations plan has been developed for the Maywood site (BNI 1992).

State and local authorities and citizens have indicated a strong preference for removal of the MISS waste storage pile. Since Alternatives 2 and 3 achieve this objective, they are expected to have favorable administrative feasibility. Alternative 1 would not address these concerns. Short-term negative impacts on the community would include traffic and noise associated with removal, treatment, and transportation of the contaminated materials under Alternatives 2 and 3; these impacts would be minimized by conducting all activities according to pertinent regulatory requirements, by using good engineering practices, and through an active community relations program.

No administrative feasibility issues are anticipated with respect to commercial disposal of the waste. The waste volume associated with this proposed removal action would be a small fraction of the total waste capacity of the commercial disposal facility.

Removal activities conducted under Alternatives 2 and 3 would be conducted only with the approval of the affected local authorities. All response activities at the Maywood site are coordinated with EPA Region II and state and local government authorities. Active communications would be maintained with the public, local media, EPA, and state and local officials, as specified in the community relations plan for the site (BNI 1992).

#### 4.3 COST

The costs of alternatives are considered only in a comparative manner to determine if the cost of one alternative is much greater than that of another alternative of similar effectiveness. General estimates of potential costs for each alternative can be compared to permit a screening according to relative costs. Funds from DOE, not from EPA's Superfund, would be used to implement the proposed removal action. Because the proposed action would be completed within a short time, present value considerations would not appreciably affect cost estimates; cost estimates for this analysis assume no discount or escalation.

117688

JUN 15 9 23 AM '94

June 1, 1994

Dear Mrs. Cange:

If you were allowed to soil wash, would you include the chemical wastes in building 76? Tell us what kind of chemicals and the locations where they were found. (See attached memo from Mary Carton).

Why was waste removed from the 560 drums and the drums disposed of?

Did you label the LSA boxes the same as the drum labels before disposal of the drums?

Do you think anybody is going to believe your ALARA pitch? With the D.O.E. it is A-L-A-R-M!

Just dig up the wastes and ship it out like the state of New Jersey says!

I seriously wonder if we are living in a safe area due to this pile. Maybe a cancer study should be conducted to see if our health is being threatened. Thank God for the Concerned Citizens!

Sincerely,

Noah D. Dawell  
and family  
160 East Fairmount Ave  
Waywood Ave., W. J.  
07607

cc: Mr. Shinn, NJ EPA  
Gov. C. Whitman

11768

JUN 14 9 07 AM '94

June 2, 1994  
Susan M. Cange, Site Manager  
Maywood MLSS

Dear Mrs. Cange:

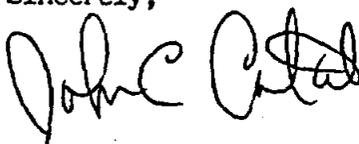
Your DOE has said it has not decided whether to pursue the responsible party or parties in Maywood and Wayne, New Jersey. However your 1994-1998 five year plan report states, "another law that DOE must comply with is the Comprehensive Environmental Response, Compensation and Liability ACT (CERCLA), or "Superfund." Its goals are to identify and clean up sites contaminated with hazardous waste and see that the responsible parties pay for damages and cleanup."

I want to know from the DOE Secretary how and why the DOE can ignore the law cited in their own report and switch the costs to the taxpayer funds?

Then they have the nerve to say soil washing and a 5 - 15 less strict, clean up level will save the taxpayers money???

So I am opposed to your EE/CA plan and your 5 - 15 plan and I demand an investigation as to why taxpayers are paying for the Thorium clean up instead of the responsible party.

Sincerely,

 36 Orchard Pl Maywood NJ

cc: Hazel O'Leary (DOE)

Sen Lautenberg

Gov. Whitman

U.S. Attorney General Reno

11768

476 Bergen Ave  
Maywood, N.J. 07607

JUN 14 2 06 PM '94

June 9, 1994

Dear Ms. Susan Cange, Site Manager:

Please accept this form letter that a neighbor has given to me to send to you for your solicitation of comments on the proposed clean up of the Maywood pile. I am opposed to the DOE proposal with the option of implementing volume reduction treatment, if feasible, for the following reasons:

- (1) The DOE's plan neither complies with state law nor affords an acceptable level of protection to the public.
- (2) Property values will probably decline if a DOE plan to leave "cleaned soil" with levels of 15 pCi/g or below on the site after soil washing (if it works) becomes a reality.

The DOE has claimed that they do not have enough money in their budgets to simply move out all the contaminated soil. It seems apparent that this issue is a political one since budgets are estimated through the political process. Has our children's health been overlooked in the politics of superfund?

Sincerely,

*William J. Connerly*

Jun 14 2 11 PM '94

June 9, 1994

Dear Ms. Susan Cange, Site Manager:

Please accept this form letter that a neighbor has given to me to send to you for your solicitation of comments on the proposed clean up of the Maywood pile. I am opposed to the DOE proposal with the option of implementing volume reduction treatment, if feasible, for the following reasons:

- (1) The DOE's plan neither complies with state law nor affords an acceptable level of protection to the public.
- (2) Property values will probably decline if a DOE plan to leave "cleaned soil" with levels of 15 pCi/g or below on the site after soil washing (if it works) becomes a reality.

The DOE has claimed that they do not have enough money in their budgets to simply move out all the contaminated soil. It seems apparent that this issue is a political one since budgets are estimated through the political process. Has our children's health been overlooked in the politics of superfund?

Sincerely,



735 EDEL AVE

MAYWOOD, NJ 07607

Jun 14 2 10 PM '94

6/7/94

Ms. Cange,

We received a copy of a paper called Hazardous Waste News #371 from the Concerned Citizens of Maywood. What does DOE say or do about this?

Persons living near a thorium waste site are at higher risk and the government wants to cut funding for clean ups. That is what is going on in Maywood with your soil washing business that does not take out all the wastes.

You still would leave wastes but you would cut the costs of moving wastes out at the expense of the health level of the clean-up site.

What Maywood wants is the Government Agency that can and will clean up the area. That is not the Dept. of Energy!

Jan A. Green  
June 14, 1994

158 Van Clure St  
Maywood, NJ 07607

JUN 14 2 10 PM '94

June 3, 1994

Dear Miss Camge,

I am opposed to your soil washing tests and pile removal. Especially if your soil washing worked! You would leave part of the contaminated soils in Maywood. You would even try to do this with soils from Lodi and Rochelle Park and you know for a fact Maywood strongly opposes this. Yet still you ask for comments!

In a copy of Hazardous Waste News #371 it reports "A Higher prevalence of birth defects and liver disease among persons living near a thorium waste disposal site in Wayne, N.J." I believe you want to soil wash and leave contaminated soils regardless of what the nearby residents and local authorities desire.

It also says- "There is a move afoot now in Washington and in the mass media to divert attention away from the problem of toxic wastes. The goal seems to be cut funding for the federal superfund program of toxic waste clean up. It seems clear that such a move, if successful will result in increased costs for the American people."

Is President Clinton in favor of this? Maywood and Wayne are not! Move it out as promised and promised, or move DOE out and let EPA or state manage the site.

Sincerely,

*Vicki Koeser* (Vicki Koeser)  
220 Maywood Ave. Apt. 2  
Maywood, N.J. 07617  
cc: President Clinton  
Governor Whitman

### CHEMICALS AND HEALTH--Part 3

Several studies of industrial dumps and contaminated water supplies during the last decade have reported adverse health effects among exposed human populations.<sup>1</sup> The principal health findings include:

- Significantly reduced stature (height) for a given age among children who lived near Love Canal, the chemical waste dump in Niagara Falls, N.Y., compared to a control group of children living further from the dump.<sup>2</sup>

- A higher prevalence of birth defects and liver disease among persons living near a thorium waste disposal site in Wayne, New Jersey, compared to persons living further away from the site.<sup>3</sup> (Thorium is a naturally-occurring radioactive element processed on this site by a private firm under contract to the old Atomic Energy Commission, now called the Department of Energy.)

- Low birth weight and birth defects in California children born in census tracts having waste disposal sites.<sup>4</sup>

- Enlargement of the liver (hepatomegaly) and abnormal liver function tests reported in residents exposed to solvents from a toxic waste dump in Hardemann County, Tenn.<sup>5</sup>

- Dermatitis, respiratory irritation, neurologic symptoms and pancreatic cancer at 7 waste disposal sites.<sup>6</sup>

- Significantly elevated rates of illness, including chronic kidney disease, stroke, hypertension [high blood pressure], heart disease, anemia, and skin cancer in a population exposed to toxic metals (cadmium and lead) from mine wastes in Galena, Kansas.<sup>7</sup>

- Leukemia (cancer of the blood-forming cells) among a group of children drinking water contaminated with industrial solvents in Woburn, Mass. In addition, a study of 4936 pregnancies and 5018 residents of Woburn aged 18 or younger revealed significant positive associations between intake of contaminated water and birth defects of the central nervous system, eye, ear, and face (e.g., cleft palate), as well as abnormalities of the chromosomes.<sup>8</sup>

- In Lowell, Mass., a group of 1049 people living 1200 feet from a large chemical waste dump was higher in self-reported complaints of wheezing, shortness of breath, cough, and persistent colds; irregular heart beat; constant fatigue and bowel dysfunction, compared to people living 2 and 3 times as far from the dump.<sup>9</sup> This study examined the possibility of recall bias (people selectively remembering health problems, or chemical exposures) and concluded that recall bias did not explain the findings.

- In Hamilton, Ontario, a study of people who lived and/or worked near an industrial dump revealed significantly elevated rates of the following conditions: bronchitis; difficulty breathing; cough; skin rash;

arthritis; heart problems (angina [chest pain], and heart attacks); muscle weakness in arms and legs; tremors, cramps, and spasms; headaches; dizziness; lethargy; balance problems; and mood symptoms (anxiety, depression, insomnia, irritability, and restlessness) compared to populations living further from the site.<sup>10</sup> Recall bias was examined and rejected as the source of these problems.

- A survey of 2039 persons in 606 households living near the Stringfellow Acid Pits in Riverside County, California revealed significantly elevated rates for the following conditions: ear infections; bronchitis; asthma; angina [chest pain]; skin rashes; blurred vision; pain in the ears; daily cough for more than a month; nausea; frequent diarrhea; unsteady gait; and frequent urination.<sup>11</sup> Recall bias was examined and rejected as the cause of these problems.

- In Tucson, Arizona, a study of 707 children born with heart defects revealed that 35% of them were born to parents living in a part of the city where the water supply was contaminated with industrial solvents (trichloroethylene [TCE], and dichloroethylene). The rate of birth defects of the heart was three times as high among people drinking the contaminated water, compared to people in Tucson not drinking contaminated water.<sup>12</sup>

- A study of 296 women experiencing a spontaneous abortion during the first 27 weeks of pregnancy, compared to 1391 women having live births, revealed an association between spontaneous abortion and drinking water contaminants (detectable levels of mercury, or high levels of arsenic, potassium and silica).<sup>13</sup>

- Residents of Bynum, North Carolina, drinking raw river water contaminated by industrial and agricultural chemicals, have developed cancers 2.4 to 2.6 times more often than expected.<sup>14</sup>

To summarize: Epidemiological studies cannot prove a cause and effect relationship. Nevertheless, available information indicates that hazardous waste dumps can harm, and have harmed, humans living nearby. Likewise, contaminated water supplies have harmed people.

The problem of waste dumps is continuing to grow. As the National Research Council of the National Academy of Sciences said in 1991, "A limited number of epidemiologic studies indicate that increased rates of birth defects, spontaneous abortion, neurologic impairment, and cancer have occurred in some residential populations exposed to hazardous wastes. We are concerned that other populations at risk might not have been adequately identified." And the Council said, "Millions of tons of hazardous materials are slowly migrating into groundwater in areas where they could pose problems in the future, even though current risks could be negligible."<sup>15</sup>

There is a move afoot now in Washington, and in the mass media, to divert attention away from the

Jun 14 2 10 PM '94

June 9, 1994

Dear Ms. Susan Cange, Site Manager:

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The DOE has claimed that they do not have enough money in their budgets to simply move out all the contaminated soil. It seems apparent that this issue is a political one since budgets are estimated through the political process. Has our children's health been overlooked in the politics of superfund?

Sincerely,

*John & Mary McKinley  
115 Parkway  
Maywood, NJ 07067*

Jun 14 2 10 PM '94

June 9, 1994

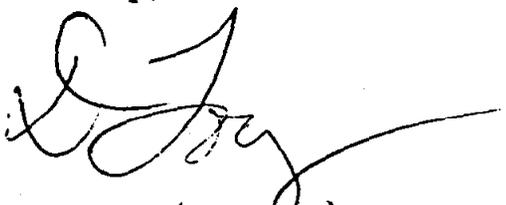
Dear Ms. Susan Cange, Site Manager:

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The DOE has claimed that they do not have enough money in their budgets to simply move out all the contaminated soil. It seems apparent that this issue is a political one since budgets are estimated through the political process. Has our children's health been overlooked in the politics of superfund?

Sincerely,



837 Lincoln Ave  
Maywood NJ

JUN 14 2 09 PM '94

June 9, 1994

Dear Ms. Susan Cange, Site Manager:

Please accept this form letter that a neighbor has given to me to send to you for your solicitation of comments on the proposed clean up of the Maywood pile. I am opposed to the DOE proposal with the option of implementing volume reduction treatment, if feasible, for the following reasons:

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The DOE has claimed that they do not have enough money in their budgets to simply move out all the contaminated soil. It seems apparent that this issue is a political one since budgets are estimated through the political process. Has our children's health been overlooked in the politics of superfund?

Sincerely,

Madeline DeBonis  
30 E Maywood Av  
Maywood

Jun 14 2 09 PM '94

June 9, 1994

Dear Ms. Susan Cange, Site Manager:

Please accept this form letter that a neighbor has given to me to send to you for your solicitation of comments on the proposed clean up of the Maywood pile. I am opposed to the DOE proposal with the option of implementing volume reduction treatment, if feasible, for the following reasons:

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The DOE has claimed that they do not have enough money in their budgets to simply move out all the contaminated soil. It seems apparent that this issue is a political one since budgets are estimated through the political process. Has our children's health been overlooked in the politics of superfund?

Sincerely,

*Edward Meyer*  
*and*  
*Arthur Meyer - loc 1, Excelsior - Maywood, MD 07607*

JUN 14 2 09 PM '94

June 5, 1994

Dear Ms. Cange, Site Manager,

I am enclosing a copy of a letter to the editor from the OUR TOWN newspaper of March 31, 1994, and was written by a Louise Torell. I believe every paragraph should be included in your report of comments made on what you call an EE/CA for the pile in Maywood.

I totally agree with Mrs. Torell so consider the comments made by her mine as well. Isn't it long overdue for the people of Maywood to be free of this hazardous waste pile?

How could the EPA agree to 15 pci/g clean up standard when they have yet to find where it could be used in residential communities?

How could the DOE do the same?

Sincerely,

Jean Fabrizio • David West  
66 E Fairmount ave  
Maywood N.J.  
07607

## Letters to the Editor

Torell . . .

Dear Kathy --

Your article last Thursday read "Thorium Removal To Begin in Fall" and reported Congressman Torricelli gave assurances that both the Department of Energy (DOE) and his intention is to see that the cleanup be carried out to the highest environmental protection agency standards.

That would mean a cleanup to 5Pci/G above background. The site managers Jeffrey Gratz, Environmental Protection Agency (EPA), and Nick Marton, NJ Department of Environmental Protection and Energy (NJDEPE), have both clearly established that 5 Pci/G is the health-based standard and 15 Pci/G is not applicable and not protective enough!!!

Also Ronald T. Corcory (11/10/93) replying for Acting Commissioner Jeanne Fox (NJDEPE) said the NJDEPE has gone on record stating support for the 5 Pci/G cleanup and on record also for all wastes generated by the cleanup be disposed of at an out-of-state facility.

A NJDEPE, July 15, 1993 letter stated the same positions for the Wayne site cleanup.

Later Vincent Pitruzzello, USEPA Region II, wrote on October 15, 1993, and assured the Concerned Citizens of Maywood that the remedial action for the Maywood site will be as protective as the clean up at Montclair that called for excavation, transportation and offsite disposal of all wastes exceeding the 5 Pci/G criteria. Soil washing did not work, so let's get to excavating -- not delaying!!!

The EPA in April, 1993, said their agency has yet to identify situations in residential communities where the 15 Pci/G could be considered appropriate.

In November, 1993, Congresswoman Roukema wrote to DOE Secretary O'Leary over the cleanup process. She cited the densely populated localities of Maywood, Loch and Rochelle Park and urged safeguarding public health and that the concerns of the local residents be addressed.

I hope all our officials will loudly and publicly demand a 5 Pci/G cleanup standard of all contaminated soils. A permanent cleanup is necessary to get off the NPL Superfund List.

A Maywood that is finally hazardous waste free will be of benefit to all. After 14 years we deserve a cleanup -- not a political compromise.

Louise Torell  
475 Bergen

117681

JUN 14 2 09 PM '94

178 Van Cleve Street  
Maywood, NJ 07607  
June 10, 1994

Susan M. Cange, Site Manager  
U.S. Department of Energy  
Former Sites Restoration Division  
P.O. Box 2001  
Oak Ridge, TN 37831-8723

Dear Ms. Cange:

In response to your notice seeking public comment on proposed cleanup of the Maywood Interim Storage Site pile, I am writing my comments below:

- (1) The cleanup plan must adhere to the 5 Pci/g standard, which is the EPA long-established "health based" standard, regardless whether they are residential or commercial properties. I have a letter written to me by an EPA official last year attesting to 5 Pci/g as the absolute health requirement. Subsequently, I quoted paragraphs of that letter in my letter to the editor of our town paper, "Our Town".  
In commercial properties where employees are working 9 AM to 9 PM in many instances and there is a constant flow of customers, it is conceivable the same standard should be applied. After more than a year of arguing over the cleanup standard, EPA later caved in to DOE demand under political pressure rather than on the basis of scientific justification.
- (2) As the majority of Maywood residents do, I strongly oppose the method of "soil washing" as a means to reduce radioactivity. The "soil washing" method has no successful record of reducing radioactivity to below 5 Pci/g. Instead of cost-saving, it is only a further waste of time and of taxpayers' money.
- (3) All soils above 5Pci/g, no matter how deep it is, should be excavated and shipped to Envirocare in Utah in accordance with the New Jersey State Plan.
- (4) All thorium-contaminated soils above 5 Pci/g in Lodi and Rochelle Park should be shipped directly to Envirocare in Utah. They should not be allowed to be transported into the MISS.

Thank you for your attention.

Sincerely yours,



K. M. Lu

cc: New Jersey Governor Whitman  
New Jersey Senate and Assembly  
New Jersey DEPE Commissioner  
Bergen County Executive Schuber  
Maywood Mayor and Council

Jun 14 2 05 PM '94

June 9, 1994

Dear Ms. Susan Cange:

Please note that for years the town of Lodi use to get its water from the aquifer under the MISS. In recent years as more information was revealed about the site became public, the town officials closed their wells and were forced to purchased water because of the contamination. The State still classifies the site ground water as potable. However, to use it and site and aquifer would have to be cleaned.

In your plans, you would soil wash and leave contamination behind and leave probably worse contamination under buildings on contaminated sites.

How could the aquifer be cleaned?

Most importantly, 15 pci/g is not a health based standard. Our health does not seem to be a priority with the DOE.

Please put me on record as being opposed to your propped plan.

Sincerely,

*Christine Kadonaga*

## HOMETOWN

## Some residents want Stepan to pay more for clean-up

By CHRIS NEIDENBERG  
Of The Shopper News

While the federal government has consistently balked at the request, some citizens in Maywood and Lodi are urging authorities to take enforcement action against Stepan Company to pay more toward cleaning up area groundwater and thorium contamination.

The federal Environmental Protection Agency has cleared Stepan of polluting Lodi's municipal wellfield. Meanwhile, in Maywood, Rep. Robert Torricelli (D-9) is holding steadfast to his position that Stepan should not be held financially liable for footing the bill to clean thorium-tainted soil, even though the EPA already cited the firm as a potentially responsible party (PRP) for the tainted soil several months before Torricelli and Sen. Bill Bradley intervened legislatively to make the federal government the PRP in 1983. To secure cleanup funds, U.S. Public Law

Torricelli's refusal to change also comes despite the fact that Kerr-McGee Chemical Corporation is committing some \$140

million to clean similar 11(e)2 thorium sites in West Chicago, Ill. under an order from that state. Illinois, unlike New Jersey, does not have its hands tied in taking enforcement action by federal elected officials. Kerr-McGee, like Stepan, inherited the West Chicago property from a predecessor firm, Lindsey Chemical and Light, in 1967. Yet Kerr-McGee has no protection from state and federal enforcement action. One came after Stepan had already consented to pay for a remedial investigation feasibility study regarding thorium, which is scattered throughout the region and in eight burial pits on grounds surrounding the site. After refusing to cooperate for over three years, Stepan since October 1991 has been working under EPA orders to study and eventually remediate chemical pollutants using company funds.

"Everything leads back to Stepan," complained Mayor Phillip Toronto of Lodi, where municipal wells will stay polluted under EPA's "no action" findings. "They polluted the aquifer and I believe they are still polluting it. If it looks like a duck, walks like a duck

and sounds like a duck, then it's got to be a duck."

For some reason, Toronto speculated, government authorities do not want Stepan to pay more toward helping to clean groundwater contamination, as well as thorium-tainted soil contamination, which has polluted a portion of his community as well as Maywood and Rochelle Park.

In defense of Stepan, Katz cited a report on the Lodi wellfield from Ebasco Services Corporation, which pointed out that the radioactive isotopes found in a test well differ from those which emanated from the old Maywood Chemical Works site (acquired by Stepan in 1959). Stepan has also denied liability for thorium.

Toronto said the borough intends to retain ownership of the dormant wellfield. He said he envisions that it will someday again be a viable water source. Councilman Walter Curioni, a Toronto supporter, agreed.

"It would be tremendous if they could pinpoint the source," Curioni said. "But I think it will only be a matter of time before new technology is developed to clean up the site."

JUN 14 2 05 PM '94

June 9, 1994

Dear Ms. Susan Cange, Site Manager:

Please accept this form letter that a neighbor has given to me to send to you for your solicitation of comments on the proposed clean up of the Maywood pile. I am opposed to the DOE proposal with the option of implementing volume reduction treatment, if feasible, for the following reasons:

- (1) The DOE's plan neither complies with state law nor affords an acceptable level of protection to the public.
- (2) Property values will probably decline if a DOE plan to leave "cleaned soil" with levels of 15 pCi/g or below on the site after soil washing (if it works) becomes a reality.

The DOE has claimed that they do not have enough money in their budgets to simply move out all the contaminated soil. It seems apparent that this issue is a political one since budgets are estimated through the political process. Has our children's health been overlooked in the politics of superfund?

Sincerely,

*Bill Fetterberg*  
44 W. Central Ave,  
Maywood N.J.

Jun 14 2 03 PM '94

June 9, 1994

Dear Ms. Susan Cange, Site Manager:

Please accept this form letter that a neighbor has given to me to send to you for your solicitation of comments on the proposed clean up of the Maywood pile. I am opposed to the DOE proposal with the option of implementing volume reduction treatment, if feasible, for the following reasons:

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Sincerely,

*Just Davis*  
93-2-1-414  
1/1/11/11

JUN 14 2 03 PM '94

June 9, 1994

Dear Ms. Susan Cange, Site Manager:

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The DOE has claimed that they do not have enough money in their budgets to simply move out all the contaminated soil. It seems apparent that this issue is a political one since budgets are estimated through the political process. Has our children's health been overlooked in the politics of superfund?

Sincerely,

*John A. Lowry*  
70 Grove Ave.  
Maywood, N.J.  
07607

117688

JUN 14 2 02 PM '94

June 9, 1994

Dear Ms. Cange,

My concern with the DOE soil washing plan that you are hoping to implement in Maywood are the many operational problems that could possibly arise. Loading and moving the soil around, noise from the soil washing machine that may be violating our noise level ordinance, and the production and storage of contaminated water as a result of the soil washing process are all problems that could arise.

More importantly, the continuation of 15 pCg/ level wastes stored and located near residences and our municipal pool gives me the impression that the residents' health has taken a back seat to costs incurred due to storage/movement of wastes to Utah.

Please make my comments part of your record on the proposed cleanup of the pile.

Sincerely,

*William J. Cannon*  
30 Parkway  
Maywood NJ 07607

Jun 14 2 02 PM '94

June 9, 1994

Dear Ms. Susan Cange, Site Manager:

Please accept this form letter that a neighbor has given to me to send to you for your solicitation of comments on the proposed clean up of the Maywood pile. I am opposed to the DOE proposal with the option of implementing volume reduction treatment, if feasible, for the following reasons:

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Sincerely,

Karen M. Amice  
650 Edin Ave,  
Maywood, NY  
07607

Jul 14 2 02 PM '94

June 9, 1994

Dear Ms. Susan Cange, Site Manager:

Please accept this form letter that a neighbor has given to me to send to you for your solicitation of comments on the proposed clean up of the Maywood pile. I am opposed to the DOE proposal with the option of implementing volume reduction treatment, if feasible, for the following reasons:

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Sincerely,

*J Mancini*

726 E DEL AVE

MAYWOOD NJ 07607

(201) 458-6868

117688

JUN 14 2 02 PM '94

June 9, 1994

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Sincerely,

*Philip A. ...*

*747-...*

*100...*

Jun 14 2 02 PM '94

June 9, 1994

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Sincerely,



784 Branch Hill Ave

Maywood, NJ 07067

117688

Jun 14 2 01 PM '94

June 9, 1994

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Sincerely,

*Elizabeth W. Dickerson*

*Elizabeth W. Dickerson*

*616 East Ave*

*Maywood NJ 07067*

117688

JUN 14 2 01 PM '94

Dear Ms. Cange,

After reading in the Star Ledger today (see attached article), I see Wayne residents have the same concerns as the people from Maywood:

1. property values dropping
2. harmful effects on peoples' health

Please record my opposition to soilwashing for these reasons. Take out all the contamination as previously promised and ship to Utah.

Sincerely,

*Thomas W. Henkel*  
*125 Lafayette Ave*  
*Maywood, NJ*

THE STAR-LEDGER, Wednesday, June 8, 1994

## Klein gains thorium cleanup funds

By ELIZABETH MOORE

Rep. Herb Klein has announced he has secured \$4 million from the Department of Energy (DOE) to clean up thorium-contaminated soil in Wayne.

Klein (D-8th Dist.) said yesterday he wants the money and an upcoming meeting of township, state and federal representatives to hasten the cleanup of the site.

"Ever since I started my term of office, people have been talking to me

in frustration, that it's been there for so long and it's affected their lives and property values, and they want it cleaned up," he said.

An estimated 115,000 cubic yards of soil became contaminated during 23 years when two companies processed monazite sand at the site on Black Oak Ridge Road to extract chemicals to be used in lighting devices and optics. Monazite sand naturally contains radioactive thorium.

Rare Earths Inc. processed the sand beginning in 1948 until the Davidson Chemical Division of W.R. Grace Co. acquired the site in 1957. The plant closed in 1971.

The DOE was given the responsibility of handling the contamination in 1983. In March, federal officials said they would consider a soil-washing process rather than containment to clean up the site.

Federal officials said a soil washing machine developed by the Environmental Protection Agency will be sent to Wayne this summer to conduct a test run of the washing process.

117688

JUN 14 2 00 PM '94

June 9, 1994

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Sincerely,

H. Broad  
275 Eccleston Pl  
Maywood  
NJ 07607

Jun 14 2 00 PM '94

June 9, 1994

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Sincerely,

*Michael Doliton**275 Eschertun Pl.**Maywood, N.J. 07607*

117688

JUN 14 2 00 PM '94

June 9, 1994

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The DOE has claimed that they do not have enough money in their budgets to simply move out all the contaminated soil. It seems apparent that this issue is a political one since budgets are estimated through the political process. Has our children's health been overlooked in the politics of superfund?

Sincerely,

*Josephine Keating*

117688

JUN 14 1 59 PM '94

June 7, 1994

Dear Mrs. Susan Cange-

The following are my comments on the proposed cleanup of the Maywood pile as sought by your office by June 13, 1994. Please make this part of your record of comments from the public.

1. I support the DEPE of New Jersey in their stance as stated in The Record article "NJ balks at thorium cleanup" which I have attached.
2. I am against the 15 pCi/g standard being applied in my town because it is not a health based standard.
3. Maywood's population is approximately 10,000 persons in a square mile area with potential to increase due to its location. A 15 pCi/g would have negative consequences for central Bergen County.

Ship the wastes to a storage site in Utah as proposed!

ALL OF IT!!!

NOW!!!

Sincerely,

*Anna T. Yarrington*  
153 Sterling Ave,  
Maywood, N.J.  
07607

SATURDAY

117688

# The Record

JUNE 4, 1994

Friend of the People It Serves

## N.J. balks at thorium cleanup

By MICHAEL MOORE  
Staff Writer

The state Department of Environmental Protection and Energy is refusing to approve the federal government's plan to remove thorium-tainted soil spread throughout Maywood and Wayne, a move that could further delay a cleanup first promised more than a decade ago.

Calling the federal Department of Energy's cleanup plan for 510,000 cubic yards of radioactive soil "dangerous to the public," the DEPE is withholding its needed approval until the federal agency agrees to meet stricter standards.

"We don't believe the DOE's cleanup plan either complies with state law or affords an acceptable

### Asks U.S. to meet tighter standards

level of protection to the public," said Nick Martone, DEPE manager for the Maywood and Wayne sites. "We're not going to go along with this and give residents a false sense of security."

Trumpeted as one of the final obstacles to solving the radioactive soil woes of North Jersey, the DOE's long-anticipated cleanup proposal, hammered out with the federal Environmental Protection Agency, calls for contaminated dirt to be cleaned to a level of 5 picocuries of radiation per gram of soil in residential areas and 15 pi-

cocuries per gram in commercial districts.

But DEPE officials believe 15 picocuries is too high and want the 5 picocurie standard applied to both residential and commercial properties. Martone said cleanup cannot legally begin without DEPE approval.

A picocurie is a unit of radioactivity. Thorium is a radioactive element that breaks down into radon, a gas proven to cause lung cancer and other ailments.

Area officials support the DEPE's demand for a uniform 5 picocurie standard.

Wayne Mayor David Waks, who has been writing to the DEPE to push for stricter standards, ap-

See THORIUM Page A-8

## THORIUM: State balks at U.S. proposal

From Page A-1

plauded the agency's decision. "I will mail the DEPE," he said. "They are starting to see the light of day."

"At least the DEPE has taken a tough, protective stance. The federal agencies should get in line with the state's directive so we can clean this up quickly and safely," said Bergen County Executive William "Pat" Schuber. "I will be pressing Governor Whitman to intervene and push the federal agencies to adopt the standards of the DEPE."

Whitman spokesman Carl Goldstein said the governor is aware of

North Jersey's thorium dilemma and is willing to intervene.

"The governor knows residents have a good cause for concern," he said. "This has to be cleaned up and, after consulting with DEPE commissioner (Robert Shinn), she will get things moving with the federal agencies."

But the DOE said New Jersey's apparent refusal to approve the plan could further delay the cleanup, first proposed in 1983.

"I don't know what will happen next and I'm not sure what the DOE or EPA's position is now," said Susan Cange, DOE site manager for Maywood and Wayne.

"It's too early to say what we'll do. We're still waiting to get the state's position in writing."

The EPA, which originally supported a uniform 5 picocurie cleanup standard but later backed off after grappling with the DOE for a year, said the federal agencies may have to reconsider their positions.

"It's understandable why the state has misgivings," said Jeff Gratz, EPA site manager in Maywood and Wayne. "Our assumption of 15 picocuries being protective may have to be reevaluated. We may have to look at a lower criteria."

The thorium is a byproduct of the manufacture of gas lanterns at the old Maywood Chemical Works between 1916 and 1956, and at the former W. R. Grace & Co. plant in Wayne between 1948 and 1971.

Officials fear that the process of developing new standards, coupled with the possibility of disagreement negotiating a compromise, could further delay the cleanup of the soil, just as the DOE and EPA squabble delayed the existing plan for 13 months.

"I hope this doesn't turn out like it did a year ago between DOE and EPA," Cange said. "But I can't say for sure that it won't."

117688

JUN 14 1 59 PM '94

June 9, 1994

Dear Ms. Susan Cange, Site Manager:

Please accept this form letter that a neighbor has given to me to send to you for your solicitation of comments on the proposed clean up of the Maywood pile. I am opposed to the DOE proposal with the option of implementing volume reduction treatment, if feasible, for the following reasons:

- (1) The DOE's plan neither complies with state law nor affords an acceptable level of protection to the public.
- (2) Property values will probably decline if a DOE plan to leave "cleaned soil" with levels of 15 pCi/g or below on the site after soil washing (if it works) becomes a reality.

The DOE has claimed that they do not have enough money in their budgets to simply move out all the contaminated soil. It seems apparent that this issue is a political one since budgets are estimated through the political process. Has our children's health been overlooked in the politics of superfund?

Sincerely,

Charles L. Post

681 OAK AVE

MAYWOOD NJ 07607

JUN 14 1 58 PM '94

117688

June 6, 1994

Ms. Cange:

I understand your soil washing has not worked yet on waste soils like in Maywood or over in Montclair.

Also that soil washing if it did whatever it is supposed to do would save taxpayers' money.

What I don't understand is why the taxpayers' money is being used to clean up the situation caused by an identified, responsible party. I want to know why the government is making the people incur the costs for a known polluter.

Soil washing would not be necessary if the identified responsible party was made to clean up the site.

Yours truly,

Gay Welles  
122 E Magnolia Dr  
Maywood, NJ  
07607

117688

JUN 14 1 58 PM '94

Dear Mrs. Cange:

I am totally against soil washing because if contaminated soil under 15 pCi/g is left after soil washing in Maywood, our properties would likely decrease in value. Remember, Bergen County is among one of the nation's highest priced real estate markets. Is the federal government going to reimburse property owners for the likely drop in real estate prices?

Please make this part of your record of comments.

Yours truly,

*Viola D'Elia*  
*698 Cole Street*  
*Maywood N.J.*

117688

JUN 14 1 58 PM '94

June 9, 1994

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Sincerely

Jean Pelligrin  
819 Edel Ave  
Maywood, NJ 07607

117688

Jun 14 1 57 PM '94

June 9, 1994

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Sincerely,

Irina Ivanova  
910 Maywood  
Spring Valley Rd

117688

JUN 14 1 54 PM '94

June 8, 1994

Ms. Susan M. Cange  
Site Manager  
Former Sites Restoration Division  
PO Box 2001  
Oak Ridge, TN 37831-8723

Dear Ms. Cange:

Regarding the Maywood Interim Storage Site - Hasn't it been an interim site long enough? I want the thorium tainted soil gone! I am outraged that the Dept. of Energy is considering "soil washing". By making Maywood a permanent waste site, this will effect property values which means my house value will decline. I use this as a form of savings.

The state requires a 5pCi/g, why are we not following this health standard? I will urge my politicians to follow N.J. health standards and urge complete excavation and shipment to Utah as promised by politicians.

The information about this facility is limited because of the limited readership of the local town newspaper. Many people are unaware of the crisis. Is there a cancer cluster in Maywood as their seems to be surrounding the thorium pile in Wayne?

I hope the Governor will involve herself in making this issue a state's rights vs. federal control. I will urge my politicians to follow N.J. health standards and urge complete excavation and shipment to Utah as promised by politicians.

Sincerely,

*Patricia Di Lorenzo*  
*Frank E. Di Lorenzo*  
Patricia DiLorenzo  
Frank E. DiLorenzo

11768

JUN 14 1 54 PM '94

**KEN & CORAL PETRETTI**  
33 Parkway • Maywood • New Jersey • 07607

Dear Ms. Cange,

We are concerned over the status of the Maywood, New Jersey Thorium site. The New Jersey DEPE has said that the proposed plan for clean up is "Dangerous to the public". We request that no action be taken until we are guaranteed of a safe and complete cleanup.

In addition many rumors of cancer deaths continue to circulate in our community which we find extremely alarming. Many of these rumors cancer cases and deaths are in the site area.

Sincerely,



Ken & Coral Petretti  
Concerned parents, citizens of Maywood.

Engineering Evaluation

117688

U.S. Dept. of Energy; D.O.E.

June 10, 1994

Attention:

Ms. Susan Cange - (P.O. Box 2000)  
Oak Ridge, Tenn.

37831-8723

Dear Ms. Cange,  
I recently read that the State of New Jersey is clearly opposed to the Federal Government's plan to "wash" the deadly Thorium stored in my community for too many years.

I thoroughly oppose the "wash plan" and any other plan that would further delay the complete removal of this insidious threatening cloud looming over my hometown.

I understand that the State told you to use the Utah location as far back as 1989 - five years ago! Your office refused! Why?

I don't believe that your office is truly concerned about further delays. I also read that "you" were using the Utah site since 1984 to clean up other U.S. locations. At the same time we were told that there other sites available! Why have you (D.O.E.) deliberately misled us?

I can't believe that both my representatives whom I've trusted (Sen Lautenberg + Rep Torricelli) have been part of this scheme.

#  
montclair has been using the 117688  
Utah site for four years,  
since 1990!  
Why not Maywood?

Enough is enough!  
I suggest that your office  
cooperate with the State of N.J.  
Immediately! I, and many other  
Maywoodians are contacting  
the Governor, Christa Whitman  
and urge her to take a "hands on"  
interest in this dangerous  
situation and protect her  
constituents in Maywood from  
forces that do not appear to  
have our safety and best interests  
at heart.

We, the People of Maywood,  
(I know I can speak for my neighbors)  
will not give up! Our mission  
is to protect and preserve our  
Hometown from present and future  
dangers.

Please reconsider your  
position and cooperate!

Sincerely,  
Mrs. Julian A. Single

55 West Passaic St.  
Maywood, N.J. 07607  
phone - 201-843-7862  
R.S.V.P.  
Mon. 6/13/94



117688

## COUNTY OF BERGEN

Administration Building • Court Plaza South • 21 Main St. • Room 300E • Hackensack, N.J. 07601-7000  
(201) 646-3630

William P. Schuber  
County Executive

June 13, 1994

JUN 16 1 36 PM '94

Ms. Susan M. Cange, Site Manager  
Former Sites Restoration Division  
Department of Energy  
Oak Ridge Operations  
P.O. Box 2001  
Oak Ridge, Tennessee 37831

**Re: Maywood Site - EE/CA to Remediate The Storage Pile**

Dear Ms. Cange:

This letter will serve as my comments regarding the engineering evaluation/cost analysis (EE/CA) for the remediation of the Maywood storage pile.

I concur with your proposed recommendation of Alternative #2 -- "Expedited removal of the contaminated material from the waste storage pile, followed by transport of the wastes for off-site commercial disposal.". The uncertainties of the soil washing technology, contained in Alternative # 3, which has been raised by the community, municipal and county officials; indicates that total excavation of all materials from the MISS is the only viable alternative. The DOE and EPA have been on record indicating the uncertainties in the performance of this treatment technology. Your proposal to conduct the treatability study in 1994 of the proposed soil washing technology for the Maywood soils, provides a reasonable plan of action.

While I am pleased by your recommendation, I do have several reservations. First, the 5-15 pCi/g cleanup standard has not received universal support and endorsement. Community, municipal, county and state officials have not endorsed the negotiated policy between the EPA and the DOE. Determining the appropriate cleanup standard continues to be a major stumbling block and halts the cleanup process. Further discussions to resolve this discrepancy need to take place prior to commencing the cleanup.

My second reservation involves the process in which it is determined that the soil washing technology can reliably achieve significant reduction in the volume of waste requiring off-site disposal. As the 5 - 15 pCi/g cleanup debate has garnered considerable institutional obstacles, we may revisit the same paradox of determining whether one option is more preferable over another. Quite frankly, I envision the same debate and extended negotiation process between all environmental agencies. Therefore, I am recommending that comprehensive coordination

Page 2

Ms. Susan Cange

June 13, 1994 EE/CA

amongst all interested parties take place to ensure that we are not subjected to another prolonged mediation phase.

Third, I have great concerns with respect to the protection of human health and the environment during the actual soil removal activities. I will be expecting the DOE, and its contractors, to ensure the following: that contaminated dust will not be generated; that you will employ the most stringent safeguards to ensure that no spillage of soil will occur during transport to the MISS; and that wind and water erosion will not occur. The community expects appropriate measures will be utilized to reduce these and all other potential adverse environmental impacts and human risks.

Thank you for this opportunity to provide comments to your EE/CA report. I look forward to continuing my dialogue with you regarding the Maywood Superfund site.

Sincerely yours,



William "Pat" Schuber  
Bergen County Executive

WPS/as

cc: Borough of Maywood  
Borough of Lodi  
Borough of Rochelle Park  
Bergen County Department of Health Services



117688

COUNTY OF BERGEN

Administration Building • Court Plaza South • 21 Main St. • Room 300E • Hackensack, N.J. 07601-7000  
(201) 646-3630

William P. Schuber  
County Executive

FAX (201) 646-3101

DATE: 6/13/97  
TO: SUSAN CANGE 615-576-0956  
FIRM: DOE  
FROM: Adam Strobel  
SUBJECT: MAYWOOD  
EE/CA

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# OF PAGES (INCLUDING COVER) 3

Operator AS

117688

JUN 13 1 51 PM '94

June 9th 1994

Susan M. Cange, Site Manager  
U.S. Department of Energy  
Former Sites Restoration Division  
P.O. Box 2001  
Oak Ridge, Tn 37831-8723

Dear Ms. Cange:

Your EE/CA report for removal of contaminated materials from the Miss Storage Pile is unacceptable. One reason is we cannot believe DOE reports or statements based on our past experiences with you. Another reason is DOE's current attempts to avoid excavation and disposal of all wastes offsite as directed by Congress, reported in the June 1st 1984 DOE memo of Franklin E. Coffman, director (OTWDRA) enclosed.

Carefully note that the DOE secretary included the project in FUSRAP, not Congress. Maywood is and never was a FUSRAP site.

As a result Maywood and Wayne are caught up in a diversionary, delaying, unproven soil washing scenario to mask the fact "That Congress is underfunding the FUSRAP Program."

So is Tonawanda N.Y. where DOE's Richard Guimond let the cat out of the bag as per the 4/27/94 news article enclosed.

Note what else he said: The program can't write checks without congress money - The public will be involved as long as people can "Come up with some alternative other than shipping everything to Clive, Utah", the location most often cited for proper storage of the waste.

In other words give him the alternative he wants.

He also says DOE has to do what is the least expensive and the most protective. But he opposes the 5 PCI/G level for Maywood and Wayne called for by the State and wants to try soil washing and doesn't know what it would cost if it worked.

If it does not work he may call Wm. J. Muszynski (EPA) and say forget about what we said at our little meeting.

On top of that I received a memo from a Tonawanda N.Y. Official quoting Guimond as saying soil washing worked in New Jersey and on more highly radioactive materials than Tonawanda. He did not identify where. This is DOE's concept of truth in reporting.

Now read carefully " He referred to New Jersey's attempt to transport off-site stating that the objections by other states to the dangers of transporting through them made it unacceptable." When do we find out about this? This is not unbelievable. This is DOE at its best. Like there is no Montclair wastegoing to Utah? Or Colonie, N.Y.?

He also said what's done here would reflect on other decisions? Sound familiar? Capping the N.Y. site was so opposed by residents he talks about soil washing instead.

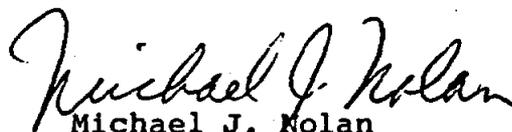
Just like his letter of April 19th 1994 to Congressman Klein he says DOE withdraws Capping plan for Wayne and talks soil washing. Also that if it did not work it would take much longer to excavate and ship offsite. He has blamed underfunding by Congress.

As in West Chicago, funds should be sought from the responsible parties for Wayne and Maywood. That's not FUSRAP. EPA could ignore DOE's "Draft" 5-15 comments as they did not in New York.

Maywood and Wayne should be excavated and shipped out of state as was directed and promised. The 5 PCI/G standard is in and soil washing is out.

An investigation is certainly in order to correct the actions described above. Mr. Guimond is also out as far as we are concerned.

We would also expect some explanations and actions by our Congressional Officials.

  
 Michael J. Nolan  
 69 Lenox Ave.  
 Maywood, N.J. 07607

CC: Vice President Gore  
 Hazel O'leary (DOE)  
 Carol Browner (EPA)  
 Governor Christie Whitman  
 Congressmen Torricelli, Klein  
 U.S. Senators Lautenberg, Bradley  
 Mayor and Council, Maywood, Wayne  
 Bergen County Executive Schuber

Tonawanda, N.Y.  
 Robert Shinn  
 NJDEPE  
 State Senator  
 Byron Baer  
 West Chicago,  
 Illinois  
 TAG

# Memorandum

117688

DATE: JUN 1 1984

REPLY TO:  
ATTN OF: NE-20

SUBJECT: Action Description Memorandum (ADM) Review: Proposed Remedial Action of Vicinity Properties, Maywood, New Jersey

TO: File

After reviewing all of the pertinent facts including the attached Action Description Memorandum (ADM), I have determined that the remedial action described in the subject ADM is an action which in and of itself will have a clearly insignificant impact on the quality of the human environment within the meaning of the National Environmental Policy Act (NEPA), 42 U.S.C. 4321 et seq.

The Conference Report accompanying the Energy and Water Appropriation Act for FY 1984 directed the Department of Energy (DOE) to give priority to the undertaking of a decontamination research and development project at the Stepan Company site at Maywood, New Jersey, and the vicinity properties which became contaminated from the site. The Conference Report directed \$2,000,000 to be used to initiate the work in fiscal year 1984. The Secretary has included the project in the Formerly Utilized Sites Remedial Action Program.

The general approach to the project at this site is, in the initial phase, to decontaminate the vicinity properties and store the waste on the Stepan site. During the first phase DOE will take corrective actions as necessary to prevent further offsite contamination from the site. DOE will also restore the vicinity properties to a physical condition equivalent to that before the remedial action. In a second phase, subject to congressional direction and funding, the waste buried on the site and the stored vicinity property waste would be removed and transported to a permanent disposal site in New Jersey.

Separate environmental reviews will be prepared to support future decisions on remedial action at other vicinity properties, permanent disposition of the contaminated materials or other remedial actions that may impact the quality of the human environment within the meaning of the NEPA, 42 U.S.C. 4321 et seq.

*15/ Coffman*  
Franklin E. Coffman, Director  
Office of Terminal Waste Disposal  
and Remedial Action  
Office of Nuclear Energy

Attachment

cc: w/attach.  
R. Stern, PE-25  
S. Greenlegh, EC-30

*VI 2/2*

K  
5/  
NE  
B  
5C  
NE  
COT

bcc:

# Feds want cooperation

(Continued from page one)

He said a problem the DOE faces is that Congress is underfunding the Formerly Utilized Sites Remedial Action Program. Eventually, the cost of taking all the FUSRAP waste to one storage location, such as the one in Clive, Utah, would cost a total of nearly \$5 billion. The program can't write checks without Congress money.

"Realistically, if we're to move this waste in Tonawanda to Utah, then why not for all of the sites? If the policy is going to be universal, we need the financial support," Guimond said. And we're dealing with different levels of radioactivity and population densities for each site. This is a very complex situation.

For the 50 or so people who crowded into the DOE office, FUSRAP's money woes garnered no sympathy. Erie County Legislator Charles M. Swanick, one of the DOE's most vocal critics, said the residents need to be involved in the new review, as does the Coalition Against Nuclear Material in Tonawanda.

"We don't want to go back to the same situation. There are a lot of options but only one has been pushed by the DOE," Swanick said. "We don't want the DOE pushing its agenda. There has to be further outside input this time."

Swanick mentioned that CAN-IT has received substantially lower numbers in terms of transportation costs to the Utah location for the waste and feels there are many more areas where the

problem can be simplified, including new soil cleansing technology and other ways to reduce the waste stream. Guimond said CANIT may be the principal group to help the DOE in the new review process.

"In the 1940s we did the nation a favor by taking this stuff," Swanick added. "We're owed the cleanup."

"You have to remember this is a national problem and we need to create that kind of budget," Guimond countered.

Tonawanda Town Supervisor Carl J. Calabrese pointed to the dire consequences the storage cell would have on plans for waterfront redevelopment.

"I've met with four major developers interested in this project," Calabrese said. "I asked each of them what the waterfront storage cell would do to their interest and they all said it was a deal killer. Maybe it's not scientifically correct but it's a question of perception and that will stop us from advancing our plans."

Public comment continued to flow against the project and Guimond said that each argument was another reason for looking at the situation and developing further alternatives.

"We feel we can come up with a solution that meets both your needs and our needs," he said.

No timetable has been set for the new review process. Comments and considerations from the last review will basically be scrapped and the entire process will start over again.

Ken Tom Bee 4/27/94

# Feds want cooperation in waste storage review

by PATRICK KEYES

Federal officials want to make one thing clear regarding the radioactive waste situation in the Town of Tonawanda: a cooperative effort is needed to come to a conclusion acceptable to all sides.

Following last week's availability session at the U.S. Department of Energy's Sheridan Drive information office, a new tact seems to be coming to the fore. Cooperation is the new buzzword and federal officials said it would be the key to a new answer for the storage of the more than 350,000 cubic yards of radioactive material left in the town from the

1940s Manhattan Project.

Richard Guimond, an admiral with the U.S. Public Health Service who is working with the DOE on environmental matters, said he realizes the local storage option has not received any public support.

He said the public will be involved as long as people can come up with some alternative other than shipping everything to Clive, Utah, which is the location most often cited for proper storage of the waste.

"We've agreed to take a fresh look at the alternatives being considered and those that may come up during the process," Guimond said. "Our problem is we have to do what is the least expensive and also the most protective."

(Please turn to page two)

Steve Cooper  
276 Hamilton Place  
Hackensack, New Jersey 07601

117688

JUN 13 9 01 AM '94

June 9, 1994

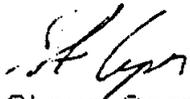
Ms. Susan M. Gange  
Department of Energy  
Oak Ridge Operations  
Post Office Box 2001  
Oak Ridge, Tennessee 37831

Dear Ms. Gange:

As a resident of the City of Hackensack, New Jersey, I am concerned about what is happening in the neighboring town of Maywood. I am writing to you to express my deep concern, no outrage, at the proposed plans put forward by U.S. Representative Robert Torricelli, (NJ-9th CD), at the behest of his corporate sponsor Guinn Stepan [Stepan Chemical], to raise the acceptability level of the thorium tainted soil in and around the "Mount Torricelli-Stepan Chemical Toxic Waste Dump" from 5 pci/g to 15 pci/g, as was reported in newspaper accounts in "The Shopper News." That Torricelli and Stepan would put our children and our communities at risk for corporate profit, the "bottom-line," does not speak too well of them.

One suspects that if the soil in question were in their backyards they would soon lose their cavalier attitudes about its removal. Enclosed are newspaper accounts from the June 1, 1994 edition of "The Shopper News", for your edification. I assure you, this is not going to be the last you hear from me on this matter.

Sincerely,

  
Steve Cooper

encl.

cc. Amy Goldsmith  
Chuck Parodi  
David Pringle

1176

Price 25¢

# the shopper NEWS

Zone 3: Lodi ▼ Hasbrouck Heights ▼ Wood-Ridge ▼ Maywood ▼ Rochelle Park

June 1, 1994

## 'Soil washing' plan rejected

By CHRIS WEIDENBERG  
of The Shopper News

**MAYWOOD**— While Rep. Robert Torricelli (D-9) and federal authorities seek to force an unwanted pilot "soil washing" program on the borough, the Illinois Department of Nuclear Safety (IDNS) has rejected using the unproven technology in a program to start removing 80,000 tons of similarly-tainted soil from West Chicago, Ill. later this year.

Meanwhile, representatives of the U.S. Department of Energy (DOE), Environmental Protection Agency (EPA) and state attorney general's office are scheduled to meet in Edison

today (June 1) to discuss the federal government's cleanup plan. Nicholas Marton, the state Department of Environmental Protection and Energy's (DEPE's) liaison to the DOE, said legal avenues to possibly challenge the plan are being explored by the office of State Attorney General Deborah Poritz.

Prospects to begin a similar, sweeping "excavate and dispose" program in Maywood currently appear bleak, since Torricelli and a former councilman are insisting that the community has no choice but to accept plans by the U.S. Department of Energy (DOE) to try a soil

separation program that seeks to reduce the volume of waste which would be shipped to the Envirocare of Utah Inc. permanent disposal facility. Former Democratic Councilman Thomas Richards, Torricelli and DOE maintain that the program, also supported by the U.S. Environmental Protection Agency (EPA), must be attempted to try and reduce the costs of shipping the material. Both Jeff Gratz, of the EPA, and Michael Redmond, of DOE contractor Bechtel National Corp., insist that some preliminary laboratory experiments using the technology in Wayne have shown that radioactive con-

tamination can be reduced to a level of five picocuries per gram — depending upon soil composition. DOE and EPA, however will not guarantee that the five picocuries standard will be used in Maywood.

Patty Thompson, a spokeswoman for the IDNS, said last week that her state and Kerr-McGee Chemical Corporation reached agreement in April to begin the transportation of 68,000 tons of 11(e)2 soil from a factory site the company purchased from a former thorium processing facility, Lindsay Chemical and Light, in 1967. The site contains

SEE THORIUM, PAGE 18

# Lodi couple reacts to W. Chicago decision

## EPA rep: projects are not the same

By CHRIS WEIDENBERG  
of The Shopper News

**MAYWOOD** — Two Lodi residents questioned on the matter insist that state, local and county officials should be as aggressive in fighting the federal government to remove all area thorium materials as the state of Illinois has been doing for West Chicago.

An announcement, made in April by Illinois' Republican Gov. Jim Edgar, again points out that there are striking differences as to how the matters have been handled by elected officials in the respective communities.

Edgar and the State of Illinois have been embroiled in litigation with Kerr-McGee Chemical Corporation. Kerr-McGee has been forced under a state law to pay a penalty of \$33 million, which will be held in escrow unless and until the corporation meets two deadlines for starting the permanent cleanup of 64,000 cubic yards of 11(e)2 thorium-tainted soil (the exact same classification as Maywood). The annual fee will be capped to \$26 million, provided that the corporation provides the state an acceptable plan for excavating and disposing the remaining 576,000 cubic yards of waste.

Any opportunity for the government to take similar enforcement actions against a private party on thorium in the Maywood region, which has about 395,000 cubic yards of soil, was effectively stopped in 1983. At that time, Rep. Robert Torricelli (D-9) and U.S. Sen. Bill Bradley (D-NJ) helped obtain Congressional approval of a legislative amendment, U.S. Public Law 98-50.

The 1983 law, supported by, among others, Rep. Marge Roukema (R-5) and U.S. Sen. Frank Lautenberg (D-NJ), eventually created the Maywood Interim Storage Site (MISS) and removed Stepan Company as a potentially responsible party (PRP) for thorium-tainted contamination. The county's top Republican, Bergen County Executive William "Pat" Schuber,

has praised Torricelli's efforts. According to a letter sent to Republican Councilman Richard O'Neil, DOE contractor Bechtel National Corporation has spent \$39 million in Maywood since 1984.

News that the State of Illinois has imposed such huge fines against a private party, unless it meets that state's demand for shipping all 640,000 cubic yards thorium-tainted soil out of the region, alarms Lodi residents Frank and Carol Bieniek. They questioned why area officials and the State of New Jersey cannot take similar action against the DOE.

"It does sound as though the elected officials in West Chicago are getting results so far," said Carol Bieniek, a Long Valley Road resident.

The woman is upset because she and her husband, Frank, were not told by a realtor that the home was contaminated with tainted soil upon buying the property. The property has a radiological soil reading of 35 picocuries per gram. DOE has put Bieniek's property on a schedule for cleanup. It is seeking to clean the soil to five pCi/g.

Their story mirrors that of Raymond and Angelica Coss, who in 1991, were dislocated from the Avenue C home they purchased when the DOE moved soil to the MISS, generating massive opposition in

Maywood.

Carol Bieniek suggested that residents in Maywood and Lodi take the West Chicago approach and band together with officials to pressure DOE and EPA to send all Lodi's waste directly west, as has been espoused by the state's "Utah plan," rather than to the MISS.

"The problem is the people in Lodi have not gathered together to do something and I think that has slowed things down," she said. "We need to join forces with Maywood rather than fighting them. As the saying goes, 'United we stand, divide we fall.'"

Barbara Guetler, a representative of West Chicago's Thorium Action Group (TAG), said her members are convinced that a firm resolve

shown by residents in New Jersey, to get all the thorium shipped out of the region, will even help TAG's cause. She urged residents to take advantage of the election year and pressure officials.

"If even one EPA region (in New York) starts supporting the use of 15 pCi/g, that doesn't bode well for us," said Guetler, who is convinced that the Maywood and West Chicago sites are exactly similar, except for DOE's involvement.

"We're concerned, because DOE issued the EPA comments on our proposed cleanup plan when they have no business being here," Guetler added. "But because they issued the comments in 'draft' form, we've been unable to see them."

She speculated that DOE is nervous because any strict cleanup in West Chicago will increase pressure on the department to do the same for Maywood, Lodi and Rochelle Park.

But Jeff Gratz, EPA project manager for Maywood, insisted that the West Chicago site has different characteristics.

"The assumption out there right now is that most of the properties are residential," Gratz said. "They do not have these large commercial tracts like Maywood. That's a big difference."

When informed that initial removal of soil in West Chicago involves a large commercial site (the pile at Kerr-McGee's factory site), Gratz compared that plan to EPA's proposal for eliminating the MISS waste pile.

Mayor John Steuert said he was envious of West Chicago's efforts and demanded that Maywood be afforded the same standards. He rejected Gratz' claims that use of a standard lesser than the established 15 pCi/g standard is relevant in the borough. The mayor, however, said Torricelli would have to decide whether Stepan should foot Maywood's thorium cleanup bill.

"If something comes down the line indicating that we could force a tougher cleanup," he said. "I don't think anyone on the mayor and council would oppose it."

The Shopper  
6/1/94

117688

JUN 14 10 10 AM '94

June 9, 1994

DEAR MS. Cange,

You can forget your EE/CA for pile removal AND soil washing. EXCAVATE AND SHIP ALL SOILS TO WTAH under the health based 5 pci/g STANDARD.

AND initiate immediately an EE/CA for my contaminated property on which we were not advised when we made the purchase about one year ago. NOT BY DOE, EPA, NJ DEPE, the realtor, the seller, the town, the local Board of Health, the County Board of Health NOR the TAX OFFICE WHY DID DOE ADVISE AT THIS LATE DATE?

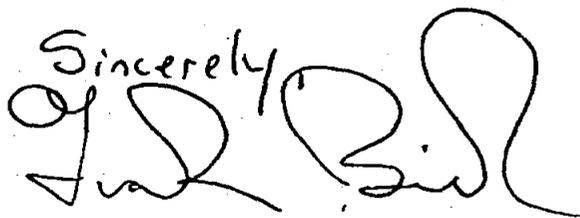
You issued an EE/CA for the RAILROAD property in Peguannock AND SHIPPED it quickly out of STATE, NOT to the WISS site.

My wife and I demand nothing more than Peguannock except for the 5 pci/g STANDARDS. If you wish you can take the soil to Montclair for immediate shipment

For almost a year its been a 5 or 5-15 dispute. Meanwhile, my front lawn READS 35 pci/g! AND DOE KNEW about it since 1986!

We have two small children AND  
We WANT the stuff out NOW,  
or you buy us out. DOE is  
more interested in the pile (miss)  
AND the Ballod property, a lot of  
which is in the pile. We do  
not want your usual wordy Respons.  
There is nothing to discuss. We  
want a yes or no in writing from  
Secretary O'Leary AND we will  
file an appropriate Response.

We will also be looking for answers  
from those mentioned in the  
SECOND paragraph.

Sincerely,  


FRANK T. Bieniek Jr  
26 Long Valley Rd.  
LOOI NJ 07644

11768

Mr. and Mrs. Michael Morris  
51 East Hunter Avenue Jun 10 1 29 PM '94  
Maywood, NJ 07607  
(201) 368-8663

June 4, 1994

Ms. Susan M. Cange, Site Manager  
U.S. Department of Energy  
Former Sites Restoration Division  
P.O. Box 2001  
Oak Ridge, Tennessee 37831-8723

Ms. Cange:

I am shocked about the flip flop of EPA from a 5PCI/G health based standard for cleanup to the 15 PCI/G DOE standard.

Especially after EPA proved 15 PCI/G is not health based. They did not flip flop in Montclair.

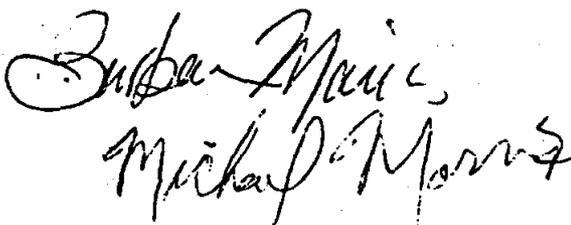
DOE's plan is not health based and I oppose it especially your untried cost cutter soil washing. That's my comment.

Now let's hear from DOE and EPA. Will you please furnish Maywood a copy of the transcript of the taped meeting between Mr. Guimond and Mr. Muszynski at EPA in New York.

We certainly are interested in the answer to "what's next after the Guimond and Muszynski meeting".

Sincerely,

Michael and Barbara Morris



cc: President Clinton

117688

JUN 15 1 35 PM '94

June 9, 1994

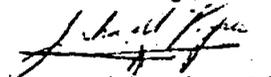
Dear Ms. Susan Cange, Site Manager:

Please accept this form letter that a neighbor has given to me to send to you for your solicitation of comments on the proposed clean up of the Maywood pile. I am opposed to the DOE proposal with the option of implementing volume reduction treatment, if feasible, for the following reasons:

- (1) The DOE's plan neither complies with state law nor affords an acceptable level of protection to the public.
- (2) Property values will probably decline if a DOE plan to leave "cleaned soil" with levels of 15 pCi/g or below on the site after soil washing (if it works) becomes a reality.

The DOE has claimed that they do not have enough money in their budgets to simply move out all the contaminated soil. It seems apparent that this issue is a political one since budgets are estimated through the political process. Has our children's health been overlooked in the politics of superfund?

Sincerely,

  
OAK AVE  
MAYWOOD

June 3, 1994

Dear Mrs Cange, JUN 15 9 22 AM '94

I have received the enclosed MATERIAL from the concerned citizens of Maywood.

I read where Congressman Toricelli said he would be working closely with both the Federal Departments (EPA and DOE) to be sure the concerns of Maywood citizens are reflected in the final cleanup plan.

Your EE/CA Plan does not reflect our concerns. Please advise if he has contacted you to change your plan. Are we ever going to be told the truth?

Sincerely,  
Joseph Kelystian  
615 Edel Ave.  
Maywood NJ



117688

# CONGRESSMAN ROBERT G. TORRICELLI

## NEWS RELEASE

New Jersey

9th District

*✓ McC  
Ed. of Torricelli  
Atty. Gen. Lodi  
M. Nolan*

**FOR IMMEDIATE RELEASE**

Monday, March 21, 1994

**Contact:**

Phil Goldberg  
(201) 646-1111

**For Inquiries:**

Richard Guymond, Principal Dep. Asst. Sec. of Energy  
(202) 586-7709

### TORRICELLI ANNOUNCES START DATE FOR CLEAN-UP OF THORIUM-TAINTED SOIL AT MAYWOOD SUPERFUND SITE

KAYWOOD, NJ -- Rep. Robert Torricelli (D-New Jersey) today announced that work will commence in July on the removal of the 35,000-cubic-yard pile of thorium-tainted soil that has been stored in Maywood for close to a decade.

"Within a matter of weeks, engineers will begin to prepare for the removal of the Maywood pile. And within a matter of months, the first thorium waste will be sent on its way by rail from Maywood to a permanent home in Utah," Torricelli said at the announcement. "Today marks the culmination of 14 years of hard work by the Maywood community and its elected officials, and 14 years of considerable patience."

✓ A final schedule for removal of the waste was negotiated by Rep. Torricelli and the U.S. Department of Energy over the last several months. In May, the Department will release its plans for removing the pile. Work at the site will commence in July to prepare for the first shipment of contaminated soil, by rail to the Envirocare facility in Clive, Utah. This work will consist of upgrades to rail spurs already present at the site and decontamination activities to allow access for equipment and workers. In October, the first tainted soil will leave the site for Utah.

The Department of Energy has set aside \$13.6 million in its Fiscal Year 1995 budget for the Maywood project, including \$11.1 million for actual removal activities. "The allocation of funds shows that the Department of Energy is fully committed to commence removal activity this year. I will be testifying before the House Appropriations Committee later this week to ensure that this funding is preserved by the Congress," Torricelli added.

Removal of the pile is expected to take two to three years. In addition, negotiations between DOE and the EPA on a draft clean-up plan for the thorium-tainted soil that is still spread throughout several dozen properties in Maywood, Lodi and Rochelle Park are nearing completion. Once the plan is released, the public will have 60 days to comment. Torricelli said, "I will be working closely with both departments to ensure that the concerns of the citizens of Maywood are reflected in the final plan."

--30--

*WITH APPROPRIATED TO NJ DEPT*

*WEL  
KNOW*

ROBERT G. TORRICELLI  
9TH DISTRICT, NEW JERSEY

COMMITTEES:  
FOREIGN AFFAIRS  
CHAIRMAN, SUBCOMMITTEE ON WESTERN  
HEMISPHERE AFFAIRS  
SCIENCE, SPACE, AND TECHNOLOGY  
SELECT INTELLIGENCE



WASHINGTON OFFICE:  
2158 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-3008  
202-225-8081  
DISTRICT OFFICES:  
COURT PLAZA  
25 MAIN STREET  
MACKENSACK, NJ 07801  
201-846-1111  
14A PATH PLAZA  
JERSEY CITY, NJ 07306  
201-222-8100

# Congress of the United States

House of Representatives

Washington, DC 20515-3009

November 22, 1993

117688

Dear Friend:

I'm pleased to inform you that the Nuclear Regulatory Commission (NRC) recently made a decision that will be of enormous benefit to our efforts to remove thorium waste from Maywood. The NRC has granted a license to Envirocare of Utah to permanently store thorium waste. This license makes Envirocare the first facility in the nation to be licensed to store such waste, and means that a repository for the Maywood waste has now been identified.

As you know, the United States Department of Energy has been working with the U.S. Environmental Protection Agency to draft a final cleanup plan for the Maywood cleanup. The plan is certain to call for the shipment of most of the Maywood soil to a commercially licensed site out of state.

In the meantime, I have been working to ensure that once a final plan is approved, there is a site under contract with the Department of Energy that can legally accept and safely store the thorium waste. The NRC approval removes the final roadblock to the granting of such a contract to Envirocare. I am confident that once a final cleanup plan is approved, there will be no delay in sending Maywood's thorium to Utah.

The citizens of Maywood should be commended for their patience during the arduous effort to remove deadly toxins from our neighborhood. While we all regret the delays, it is important that the job be done right. The careful environmental planning and evaluation that has been performed will lead to a better cleanup that will guarantee safe transportation and disposal and efficient use of Federal dollars.

Please be assured that I will continue to work to remove every bit of thorium waste from Maywood as soon as possible. If you have any comments or questions, please feel free to write or call.

Sincerely,

ROBERT G. TORRICELLI  
Member of Congress

RGT:reh

Dear Mrs Cargl,

Living at 173  
 Maywood Ave. I am  
 constantly to the nearby  
 M.T.S.S. I have researched  
 throughly the health  
 based standard that  
 has been applied to all  
 the other super fund  
 sites and expect the  
 same standard  
 to be applied  
 in Maywood.

Had not  
 the D.O.E. gotten  
 involved with  
 this site, the New  
 Jersey R.P.D. would  
 of had this



problem taken care of  
 long ago. It is  
 obvious that money,  
 and not health, is the  
 main concern in  
 cleaning up the MTS.

Forget soil  
 washing and ship it  
 all out to Utah.

After picketing  
 the site previously, I  
 would not hesitate  
 to repeat my actions  
 with my two  
 children.

Lynne & Don Lepore  
 123 Maywood Ave  
 Maywood, N.J.

Cops Gov. Whitman



117688

JUN 15 9 13 AM '94

MS. CANGE,

I READ AN ARTICLE IN THE SHOPPER NEWS THAT REPORTED A STATEMENT BY A MR. MARTIN OF THE N.J. DEPT. OF ENVIRONMENTAL PROTECTION AS FOLLOWS: "THERE IS A WAY THEY CAN DEFINITELY GET DOWN TO THE 5 PCI/G LEVEL FOR MAYWOOD. THEY CAN DO IT BY GOING FOR EXCAVATION AND DISPOSAL IN A PERMANENT SITE," [UTAH]

EVERYBODY IS IN FAVOR OF THIS HEALTH BASED CLEAN UP PLAN EXCEPT PERHAPS TWO DEMOCRATS WHO, FOR SOME REASON, CAN'T SAY NO TO DOE. SOIL WASHING WOULD LEAVE SOME OF THE WASTES FROM LDDI AND ROCKELLE PARK IN MAYWOOD, WHICH WOULD BECOME A PERMANENT DISPOSAL AREA

MY FAMILY VOTES NO!

Sincerely,

BERNADETTE E. PRODDI  
165 VAN CLEVE ST.  
MAYWOOD, N.J. 07607

Rothann Robinson  
585 Oak Ave  
Maywood, WJ

Jan 15 9 12 AM '94

Dear Mr. Cange,

Therom is a threat to Maywood

The Subetane is dangerous  
to have lingering around a populated  
area. A health threat to  
my children, friends and neighbors.

The publicity has already  
hurt our property values.

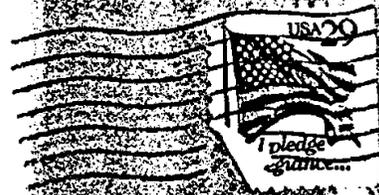
Take it away

We dont want IT!

Rothann Robinson

117688

JAMES W. ROBINSON  
585 OAK AVE.  
MAYWOOD, NJ 07607-1513



US Dept of Energy  
Former Sites Restoration Division  
PO Box 2001  
Oak Ridge, Tennessee  
37831-8723

ATTN: Susan M. Cange  
Site Mgr.

May 31, 1994

Jun 15 9 10 AM '94

Dear Ms. Cange:

I cannot believe that Senator Lautenberg and Congressman Torricelli would allow EPA and DOE to do a short cut clean up after all the years and things they promised.

I hope the New Jersey EPA does not knuckle under like EPA did.

The EPA man said he did. Not cave in - that EPA just switched from a health based standard clean-up to one that falls in line with President Clinton's policy! I read it in the paper.

My comment is that something smells a lot worse than the toxic wastes. I oppose your Clinton Clean-up!

A Disgusted Maywood Resident  
Elaine Jakubcak

117688

June 1, 1994  
579 Wyoming Ave  
Maywood, ID  
83667

Jun 15 9 08 AM '94  
Dear Ms Cange,

After reading the many  
articles in "The Shopper News"  
during the past several years  
as a resident of Maywood  
and parent of 2 children  
I say this,

"Its a health-hazzard -  
Dig the waste up  
and SHIP TO UTAH!!  
No Soil WASHing

Lenore Titus

117688

JUN 15 9 09 AM '94

92 Belle Ave.  
Maywood, N.J. 07607  
June 1, 1994

Dear Ms. Cange,

Maywood is a highly populated area. Please ship out all the waste as agreed to by our politicians.

This pile is a health hazard. Due to the many schools, day care centers, etc. removal of the waste is the only safe solution.

Very truly yours,  
Rosemary E. Nevins

117688  
June 6 1994

To whom it may concern.

I am a homeowner and tax payer in Maywood, NJ. It is about time this situation with Thorium removal is resolved. I thought this was all settled with the governing bodies that this would all be completely removed. Even the fact that a lot of Thorium was brought in and dumped from other towns makes it even more hazardous to the residents of Maywood NJ.

I do not approve of washing it down as there will be residue left and then if too much is left it will then turn into a dumping ground.

I want as a taxpayer and homeowner the Thorium completely removed. Our Town has been exposed to this hazardous waste long enough.

Sincerely

Mrs. Evelyn Lopez  
55 W. Grove Ave.  
Maywood, NJ 0760

JUN 15 08 AM '94

117688

Jun 15 9 07 AM '94

May 31, 1994

Dear Suzan Cange;

I am sick of the EPA/DOE Political Based rather than Health Based clean-up standard Being applied to Maywood.

How dare you think that we are not smart enough to see the political action. In the newspapers, The EPA Rep even admitted that they changed the plan to fall in line with the CLINTON Administration's efforts to reform the Superfund law

Nevermind your soil wash delay. First Clean up your act! Clean the residential areas first. The pile can wait. So can the Bulld Property.

You can use the Montclair bags for the residential waste clean-up - Not the MISS! Apparently those concerned citizens who have been picketing your meetings in Maywood and Wayne are wise to your Deceptive tricks. If they picket again I'll be out there with them! It seems our highly Populated area is of no concern to the DOE. 15 pci/g is not a health based standard.

With so many daycare centers, schools, Municipal pools surrounding the MISS we need a 5 pci/g standard.

sincerely,

Robert J. Belby  
1st FL. / 92 Belle  
Maywood N.J. 07607

117688

143 Lenox Ave.  
Maywood, NJ 07607  
June 08, 1994

Susan Cange, Site Manager  
US Dept. of Energy  
Former Sites Restoration Div.  
PO Box 2001  
Oak Ridge, TN 37831-8723

Dear Ms. Cange:

At the recent Maywood Sidewalk Sale I received a flyer at the Concerned Citizens table, that included a news-clipping dated February 26, 1992, that said, 'EPA could lead thorium clean up and DOE would not oppose it.

Your Mr. Seay said EPA could come in and continue the DOE's work without interruption.

It's now June, 1994 and no clean up. Why not give EPA a chance?

Didn't you let EPA take over Maywood's Utah Plan for Montclair?

JUN 15 9 02 AM '94

*Elizabeth Jergel*

117688

CONTANT, SCHERBY & ATKINS

JUN 14 2 06 PM '94

ATTORNEYS AT LAW

33 HUDSON STREET

HACKENSACK, N. J. 07601

(201) 342-1070

TELECOPIER (201) 342-5213

NEW YORK OFFICE  
337 NORTH MAIN STREET, SUITE 11  
NEW CITY, N.Y. 10956  
(914) 638-4925

FENSTER & WEISS, ESQS.  
OF COUNSEL

JOHN M. CONTANT (1931-1988)  
RICHARD JON CONTANT\*  
MICHAEL L. SCHERBY\*\*  
BRUCE L. ATKINS\*\*  
DANIEL P. GREENSTEIN\*  
MATTHEW S. ROGERS  
ANDREW T. FEDE  
BRIAN T. KEANE\*

JULIE K. GRAPIN\*  
STEVEN D. GROSSMAN\*  
GERALDINE E. BEERS\*  
WILLIAM J. BAILEY  
S.Y. KIM\*

\*ALSO MEMBER OF NY BAR  
\*ALSO MEMBER OF FLA BAR

PLEASE RESPOND TO:  
HACKENSACK

June 9, 1994

Susan M. Cange, Site Manager  
Former Sites Restoration Division  
Department of Energy  
Oak Ridge Operations  
P. O. Box 2001  
Oak Ridge, TN 37831

Re: Borough of Maywood, New Jersey

Dear Ms. Cange:

Please be advised that I am the attorney for the Borough of Maywood. I have been asked by the Mayor and Council to write to you to advise you of the opposition of the Mayor and Council to the cleanup proposal of which the Mayor and Council have become aware with regard to the Maywood Interim Storage Site ("MISS"). I enclose for your review copies of my letters of April 13 and June 6, 1994, to William J. Muszynski and Kathleen C. Callahan, Director of the United States Environmental Protection Agency ("EPA"). The Mayor and Council of the Borough remain steadfastly opposed to any cleanup standard other than the 5 pCi/g standard that had previously been endorsed by the EPA.

As noted in the enclosed letters, we have learned that the New Jersey Department of Environmental Protection ("DEPE") has continued to call for a cleanup in accordance with the 5 pCi/g standard, and the Mayor and Council hope that the DEPE's opposition will cause the EPA and the DOT to adhere to the 5 pCi/g standard.

In addition, the enclosed letters indicate the opposition of the Mayor and Council to the proposed soil washing operation. There are at least two reasons for this opposition. First, the Mayor and Council have not been provided with any evidence that the so-called soil washing technique will safely reduce the level of contamination to the 5 pCi/g standard. Second, the Mayor and Council are of the opinion that the proposed soil washing should not be conducted on the MISS. This site is in the middle of a highly populated and heavily traveled area.

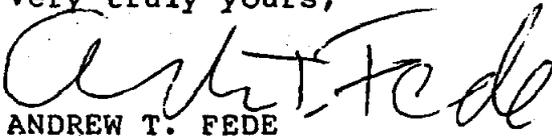
117688

Susan M. Cange, Site Manager  
Re: Borough of Maywood, New Jersey  
June 9, 1994  
Page 2.

Accordingly, based on all of the information available to the Mayor and Council, the position of the DEPE, and the previous position of the EPA, the Mayor and Council have no intention of approving the proposed resolution of the dispute between the DOE and the EPA, and oppose the revised cleanup proposal which we are told is scheduled to be formally presented to the public for comment in June 1994. Please consider this letter as the opposition of the Mayor and Council to that proposal if it has been presented for public comment. As I have not received a copy of same, I also ask you to send it to me.

Thank you.

Very truly yours,

  
ANDREW T. FEDE

ATF:RG

Enclosures

cc: Mayor and Council

June 6, 1994

Kathleen C. Callahan, Director  
Emergency and Remedial Response Division  
United States Environmental Protection Agency  
Region II  
Jacob K. Javits Federal Building  
New York, NY 10278-0012

Re: Borough of Maywood

Dear Ms. Callahan:

Thank you for your May 10, 1994 letter, which replies to mine of April 13, 1994. The Mayor and Council have asked me to write you to again express their strong disapproval of the "5/15" criteria for the cleanup, and opposition to a "soil washing" operation on the Maywood Interim Storage Site ("MISS"). The MISS property should be cleaned to the 5 pCi/g standard. Although you refer to land use considerations in your letter, the Mayor and Council are convinced that the "residential" standard is the only viable health-based standard for the MISS. The property should be cleaned up so that residential, commercial, or industrial uses are permissible. The time to do this is now, not later, as you imply, as land use changes affect the properties.

I enclose for your review Resolution No. 66, of the New Jersey Senate, which calls for the immediate removal of all contaminated soil from the MISS, and the related properties. The Mayor and Council of the Borough of Maywood have also expressed this demand by Resolution, as have the voters of the Borough of Maywood, by referendum.

The Mayor and Council also must again express opposition to the proposal for "soil washing" on the MISS. The MISS is in a highly populated and congested residential area. This is not the place for the use of the untested "soil washing" operation. I note the following, as reported by The Record on May 24, 1994:

Kathleen C. Callahan, Director  
Re: Borough of Maywood  
June 6, 1994  
Page 2

117688

An April 1993 report by the EPA on the proposed cleanup of thorium and radon in Orange stated: "No treatment technology is known today that can substantially reduce the toxicity, mobility, or volume of the type of radiation." The report suggested disposal of all the contaminated soil.

According to an EPA report released in December 1993, before it and the DOE resolved long-standing differences on how to remedy the Wayne and Maywood contamination problems, "separation of soil and radioactive contaminants has been ineffective and was considered "not feasible" for Maywood and Wayne.

Released in February, DOE literature introducing the soil-washing alternative said: "The effectiveness of [soil washing], or how well the process will work, is uncertain."

With this information at hand, the Mayor and Council strongly oppose soil washing at the MISS.

Of even greater significance, however, is the strong position taken by the New Jersey Department of Environmental Protection and Energy. As reported in The Record on June 4, 1994, the New Jersey DEPE has called the proposed clean-up plan "dangerous to the public." The DEPE has correctly called for strict adherence to the 5 pCi/g standard.

The Mayor and Council urge that the E.P.A. and the D.O.E. follow the lead of the New Jersey DEPE. I also request that you provide me with the information you refer to in your letter, which you state would indicate that the type of soil washing unit being considered has been operated safely and effectively elsewhere in the country. I also ask that you advise me of when and how the "revised cleanup proposal" will be formally presented for public comment.

Thank you.

Very truly yours,

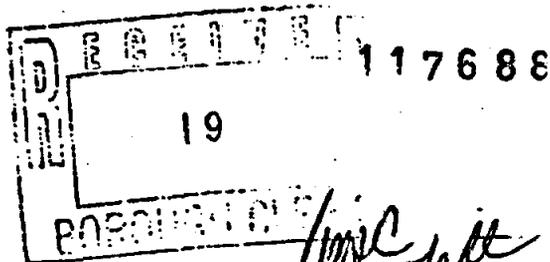
ANDREW T. FEDE

ATF:RG

cc: Mayor and Council  
Congressman Robert G. Torricelli  
Senator Frank R. Lautenberg  
William P. Schuber, Bergen County Executive  
James Pasquale, New Jersey Department of Health  
Nicholas Martone, New Jersey DEPE  
Governor Christine Todd Whitman  
Commissioner Robert Shinn, New Jersey DEPE



NEW JERSEY SENATE



BYRON BAER  
SENATOR, 37TH DISTRICT  
BERGEN COUNTY  
125 STATE STREET  
SUITE 205  
HACKENSACK, NEW JERSEY 07601  
(201) 343-3333  
FAX (201) 343-1594

May 17, 1994

*MSC felt  
Atty. Gen.  
M. Polson*

Hon. Mayor John A. Steurt and  
Members of the Council  
Borough of Maywood  
459 Maywood Avenue  
Maywood, NJ 07607

Dear Mayor Steurt and Council Members,

Enclosed is a copy of SCR 66 dealing with the removal of all thorium waste from Maywood and from your neighbors in Lodi and Rochelle Park. This matter has been a nagging problem for Maywood's citizens for too long and calls for immediate settlement.

I'd like to draw your attention to the fact that the resolution addresses contaminants that might be underground as well as those found in the pile.

My office remains ready to do everything possible to assist you to reach a satisfactory conclusion. I welcome your advice and help.

Sincerely,

*Byron Baer*

Byron Baer  
Senator District 37

STATE OF NEW JERSEY

INTRODUCED MAY 12, 1994

117688

By Senator BAER

A CONCURRENT RESOLUTION memorializing the United States Department of Energy, the Environmental Protection Agency, and the Nuclear Regulatory Commission to take every expedient action, in conjunction with the officials of this State, to effectuate the immediate and permanent removal of thorium contaminated soil from sites in Maywood Borough, Rochelle Park Township, and Lodi Township, New Jersey.

WHEREAS, The radioactive metallic element thorium, a waste byproduct of certain manufacturing processes that occurred on-site from 1916 to 1959 at the Maywood Chemical Company in Maywood, New Jersey, was mixed with other substances and used as fill in several locations in residential areas of Maywood Borough, and had contaminated some properties in Rochelle Park Township and in Lodi Township; and

WHEREAS, Because of the imminent danger this situation posed, the United States Department of Energy in 1984 began a cleanup that removed approximately 40,000 cubic yards of contaminated soil from several of the affected properties, and constructed the Maywood Interim Storage Site to hold the contaminated soil on the site of the former Maywood Chemical Company; and

WHEREAS, This contaminated soil is now stored on-site, shielded only by plastic coverings, which are not adequate to reduce the risk of injury to the health of the citizens residing in the vicinity of the Maywood Interim Storage Site and to reduce the risk of harm to the environment; and

WHEREAS, Thorium contaminated soil still must be removed at the site of the Maywood Chemical Company, which was purchased in 1959 by the Stepan Chemical Company, and at several other sites in Maywood, Rochelle Park, and Lodi that were contaminated by thorium waste from the Maywood Chemical Company site; and

WHEREAS, This widespread contamination threatens the public health, safety and welfare of the citizens of these communities; and

WHEREAS, Although the United States Department of Energy has been slow to develop a plan for the removal of this contaminated soil and the Environmental Protection Agency has not as yet decided on a final strategy for the removal of the thorium contaminated soil from these sites, the Nuclear Regulatory Commission has recently licensed a site in the State of Utah to accept this type of waste and the Department of Energy has made a commitment to remove all the contaminated soil to that site; and

WHEREAS, It is imperative that there be no further delay in the removal of the thorium contaminated soil from these sites and that immediate action be taken to permanently remove all thorium contaminated soil from the Maywood, Rochelle Park, and Lodi sites; now, therefore,

April 13, 1994

William J. Muszynski, P.E.  
Acting Regional Administrator  
United States Environmental Protection Agency  
Region II  
Jacob K. Javits Federal Building  
New York, NY 10278-0012

Re: EPA Region 2's Position on the Dispute Regarding Cleanup  
Levels for Radionuclide Contamination at the Maywood  
Chemical Company Superfund Site, Maywood, NJ

Dear Mr. Muszynski:

Please be advised that I am the attorney for the Borough of Maywood. The Mayor and Council of the Borough have received a copy of your March 23, 1994 letter to Joe La Grone in regard to the above-referenced matter. Although a more detailed statement is forthcoming, the Mayor and Council authorized me to immediately write to you to indicate their objection to the proposed clean-up plan referred to in your letter.

The Mayor and Council strongly object to the use of the 15 pCi/g standard. The Mayor and Council were under the impression that the EPA was enforcing a 5 pCi/g standard. The 15 pCi/g standard is not a health-based standard according to the information provided to us and is therefore unacceptable as a remediation level in the affected area.

Accordingly, the Mayor and Council of the Borough of Maywood urge you to stop any proceedings advancing the clean-up levels reached in your letter, and this demand is also being made to the Department of Energy, as a copy of this letter is being sent to Mr. La Grone. The Mayor and Council had hoped that the EPA would not waiver from the 5 pCi/g standard despite the position taken by the Department of Energy. They insist that you reconsider your proposal to agree with the Department of Energy's clean-up standard.

William J. Muszynski, P.E.

Re: EPA Region 2's Position on the Dispute Regarding Cleanup  
Levels for Radionuclide Contamination at the Maywood  
Chemical Company Superfund Site, Maywood, NJ

April 13, 1994

Page 2

In addition, the Mayor and Council insist on the immediate removal of all of the contaminated soil from the Maywood Interim Storage Site and other affected properties in the vicinity. The Mayor and Council oppose any soil washing program on the site because of the obvious effects this will have on the health of residents in the area as well as people working for businesses surrounding the site. The Mayor and Council have not seen any evidence indicating that soil washing is an effective remediation measure that will reduce the level of contamination to the 5 pCi/g standard. Again, the Mayor and Council ask you to immediately rethink your position in regard to soil washing on this site. Instead, all contaminated soil should be removed from the site and either stored or treated elsewhere, far away from populated areas.

Thank you for your consideration, and if you have any questions, please do not hesitate to contact me.

Very truly yours,

ANDREW T. FEDE

ATF:RG

cc: Joe La Grone  
Mayor and Council

Dear Mr. Conge

117688

I just read the June 4<sup>th</sup> record headline that says "N.J. talks at thorium cleanup"

Hooray for the state dept. of Environmental Protection! They say The Doe Plan is dangerous to the public, does not comply with state law or afford an acceptable level of protection to the public.

Wayne Mayor Waks says the federal agencies should get in line with state's directive and clean up should be quickly and safely.

Bergen County Executive Shuler will press Governor Whitman to intervene for adoption of the state standards

Thanking You  
Sheena Blücher  
21 East Pleasant.

**SATURDAY**

117688

# The Record

JUNE 4, 1994

Friend of the People It Serves

## N.J. balks at thorium cleanup

By **MICHAEL MOORE**  
Staff Writer

The state Department of Environmental Protection and Energy is refusing to approve the federal government's plan to remove thorium-tainted soil spread throughout Maywood and Wayne, a move that could further delay a cleanup first promised more than a decade ago.

Calling the federal Department of Energy's cleanup plan for 510,000 cubic yards of radioactive soil "dangerous to the public," the DEPE is withholding its needed approval until the federal agency agrees to meet stricter standards.

"We don't believe the DOE's cleanup plan either complies with state law or affords an acceptable

### Asks U.S. to meet tighter standards

level of protection to the public," said Nick Martone, DEPE manager for the Maywood and Wayne sites. "We're not going to go along with this and give residents a false sense of security."

Trumpeted as one of the final obstacles to solving the radioactive soil woes of North Jersey, the DOE's long-anticipated cleanup proposal, hammered out with the federal Environmental Protection Agency, calls for contaminated dirt to be cleaned to a level of 5 picocuries of radiation per gram of soil in residential areas and 15 pi-

cocuries per gram in commercial districts.

But DEPE officials believe 15 picocuries is too high and want the 5 picocurie standard applied to both residential and commercial properties. Martone said cleanup cannot legally begin without DEPE approval.

A picocurie is a unit of radioactivity. Thorium is a radioactive element that breaks down into radon, a gas proven to cause lung cancer and other ailments.

Area officials support the DEPE's demand for a uniform 5 picocurie standard.

Wayne Mayor David Waks, who has been writing to the DEPE to push for stricter standards, ap-

See **THORIUM** Page A-8

## THORIUM: State balks at U.S. proposal

From Page A-1

plauded the agency's decision. "I hail the DEPE," he said. "They are starting to see the light of day."

"At least the DEPE has taken a tough, protective stance. The federal agencies should get in line with the state's directive so we can clean this up quickly and safely," said Bergen County Executive William "Pat" Schuber. "I will be pressing Governor Whitman to intervene and push the federal agencies to adopt the standards of the DEPE."

Whitman spokesman Carl Golden said the governor is aware of

North Jersey's thorium dilemma and is willing to intervene.

"The governor knows residents have a good cause for concern," he said. "This has to be cleaned up and, after consulting with DEPE commissioner [Robert Shinn], she will get things moving with the federal agencies."

But the DOE said New Jersey's apparent refusal to approve the plan could further delay the cleanup, first proposed in 1983.

"I don't know what will happen next and I'm not sure what the DOE or EPA's position is now," said Susan Cange, DOE site manager for Maywood and Wayne.

"It's too early to say what we'll do. We're still waiting to get the state's position in writing."

The EPA, which originally supported a uniform 5 picocurie cleanup standard but later backed off after grappling with the DOE for a year, said the federal agencies may have to reconsider their positions.

"It's understandable why the state has misgivings," said Jeff Gratz, EPA site manager in Maywood and Wayne. "Our assumption of 15 picocuries being protective may have to be reevaluated. We may have to look at a lower criteria."

The thorium is a byproduct of the manufacture of gas lanterns at the old Maywood Chemical Works between 1916 and 1956, and at the former W. R. Grace & Co. plant in Wayne between 1948 and 1971.

Officials fear that the process of developing new standards, coupled with the possibility of disagreement negotiating a compromise, could further delay the cleanup of the soil, just as the DOE and EPA squabble delayed the existing plan for 13 months.

"I hope this doesn't turn out like it did a year ago between DOE and EPA," Cange said. "But I can't say for sure that it won't."

Dear Mrs Cange,

11768E

I read Mr Parodi's letter in the  
Dur Town and agree with its contents.  
I oppose soil washing at 15 pci/g since  
it is not a health-based standard.  
Please record my opposition to  
your soil washing plan of 15 pci/g  
and include Mr. Parodi's letter which  
is my feeling also. Maywood is too  
populated to not be cleaned up  
to a safe level. Maybe the entire  
town should come out and picket  
the D.O.E. office to show the nation  
that we don't believe that 15 pci/g  
is a safe standard

Yours truly,  
Wayne H. Westcott  
628 WYOMING AVE  
MAYWOOD, NJ 07607

Thursday, April 21, 1994 OUR TOWN



## Letters to the Editor . . .

**Parodi . . .**

Dear Editor -

By waiting a week on your thorium birthday present article, you could have saved Congressman Torricelli from extreme embarrassment and asked him what's going on? Who is pressuring whom?

You quoted him on March 21, standing by the pile that he created, on the Maywood Interim Storage Site (MISS) he helped create via an agreement between the Department of Energy (DOE) and Stepan Company. Without a MISS, the hazardous wastes would have been shipped elsewhere just like at Montclair, Glen Ridge, West Orange, etc. Yes, excavate and dispose out of state. The NJ Department of Environmental Protection and Energy (NJDEPE) plan for Maywood was used for Montclair instead. You stated that Torricelli said the pile removal will take two to three years and DOE will release its plans in May for all the wastes beneath the MISS and at various residential and commercial properties in Maywood, Rochelle Park, and Lodi.

Also, that DOE plans to use a "soil washing" process to separate and reduce volume of contamination from clean soil. A process that *did not* work at the Montclair area sites and Maywood has higher concentrations of radioactive material than Montclair!

Finally, you said Torricelli made assurances that it is both the DOE and his intention to see to it that the cleanup be carried out to the highest Environmental Protection Agency (EPA) standards. But three days later, on March 24, Senator Lautenberg announced that EPA and DOE had now agreed on "strict" cleanup guidelines of 5 pci/g above background for residential properties and 15 pci/g for commercial/government areas of the site. The

residential areas are in Lodi and Rochelle Park. Then there will be "inaccessible" properties, like under buildings, which will be ignored until they are demolished in the future or otherwise. If soil washing worked, the soil left behind can be contaminated as high as 15 pci/g, with no limits under the buildings. Thus along with unremediated soils under buildings, Maywood will be changed from an Interim Storage Site to a Permanent Disposal Site. But they promised five-year reviews to insure human health remains "protected"?

The state cleanup standard is 5 pci/g and NJDEPE and USSEPA had clearly proven that 15 pci/g is *not* a health based standard and cited cancer risks involved.

As late as November 1993, six months after the Maywood dispute started, the EPA issued the action criteria for a West Chicago site, with the same kind of waste. They cited the law to prove 5 pci/g is a health based standard for cleanup of the residential areas including commercial, institutional and municipal properties. And that 15 pci/g is not a health based standard! But on March 24 the New York EPA acting administrator caved in by ignoring the EPA's own health based facts. Who is responsible? An investigation is in order. Let's call it "Backwater."

Our state officials must stand firm. Our local officials must urge the NJDEPE to insist on a 5 pci/g cleanup of all contaminated soil wherever it is, and the County and State Boards of Health as well! Mr. Torricelli said, "I will be working closely with both departments to ensure that the concerns of the citizens of Maywood are reflected in the final plan."

So be it. Excavate and dispose at Envirocare, Utah. No unproven soil washing delay. No more interim or permanent disposal site.

**Eustace . . .**

Dear Editor -

This letter is to urge Maywood Citizens to attend the April 27th meeting on the proposed new borough hall. This is a chance for us to ask questions and present our views about what we think Maywood should spend our future on.

An interested group of taxpayers could effectively sway our representatives to do just that, represent us!

Sincerely,  
Timothy J. Eustace, D.C.  
140 West Pleasant

~~~~~  
Shipment of all wastes direct to Utah!

Maywood officials should insist now that these positions be reflected in the DOE proposed plan unless they disagree with Mr. Torricelli as Senator Lautenberg does.

Sincerely,
Chuck Parodi
48 West Grove

June 7, 1994
To Whom it May Concern,

I am a homeowner and taxpayer in Maywood N.J. It is about time this situation with Thorium removal is resolved. I thought this was all settled with the governing bodies that this would be completely removed. Especially with the fact that a lot of Thorium was brought into Maywood and dumped from other towns makes it even more hazardous to the residents.

I do not approve of washing it down as there will be residue left and then we will become a dumping ground.

I want the Thorium completely removed. Maywood is a lovely town and we have been opposed to this hazardous waste long enough.

Sincerely,

Margaret Dillon
619 Palmen Ave.
Maywood, N.J.
07607

117688

June 8, 1994

JUN 15 9 27 AM '94

Susan M. Cange
U.S. Department of Energy
Former Site Restoration Div.
P.O. Box 2001
Oak Ridge, Tennessee 37831-8723

Dear Ms. Cange;

We are absolutely and unalterably
opposed to the soil washing
remediation of the Maywood Storage
Site.

This storage pile should be excavated
and shipped to a disposal facility
before the end of 1994.

The idea of attempting to reduce
the volume of this soil by an
untested procedure using non-
existing equipment is preposterous.
This treatment method would
increase the airborne contamination
in a wide area during this
operation and the residual soil

117688

would be higher than the 5 PC1/g
generally believed to be "safe".
This is absolutely unacceptable
for this or any other community.

Very Truly Yours,
Robert + Elizabeth Cloughley
592 Edel Lane
Maywood, N.J. 07607

117688

Susan M. Cange
U.S. Department of Energy
Former Sites Restoration Div.
P.O. Box 2001
Oak Ridge, Tennessee 37831-8723

June 8, 1994

Dear Ms. Cange,

We are one of a cluster of families suffering from environmentally induced cancers probably resulting from close proximity to the Maywood Hazardous Waste Site.

We and our neighbors want that site cleaned up by immediate removal to a proper disposal site. We oppose the proposed soil washing experiment because it will delay the elimination of this hazard and the residual soil will probably remain higher

117688

than the 5 PCP/g generally
considered to be "safe".

Very Truly yours,
Jan + Jim Diamond
112 Lenox Ave
Maywood, NY
07607

JUN 15 9 28 AM '94

117688

June 8, 1994

Susan M. Cange
U.S. Department of Energy
Former Site Restoration Div.
P.O. Box 200,
Oak Ridge, Tennessee 37831-8723

Dear Ms. Cange,

We are apposed to the soil
washing proposed for the Maywood
Storage site.

This hazardous waste site should
be cleaned up immediately by
removal to a proper disposal site.

Very truly yours,

Robert & Irene Conolly
315 Esplanade
Maywood, NY 07607

JUN 15 9 26 AM '94

117688

Ms. SUSAN CANGE, Site Mgr.

U.S. DEPARTMENT OF ENERGY JUN 15 9 25 AM '91
FORMER SITES RESTORATION DIV.

P.O. Box 2001

OAK RIDGE, TENNESSEE, 37831

Mr. & Mrs. Robert W. Holzer
81 Lenox Avenue
Maywood, NJ 07607-1139

JUNE 7, 1994

As twenty-two (22) YEAR RESIDENTS, WE FEEL WE HAVE TOO LONG ENDURED THE THORIUM PROBLEMS IN MAYWOOD, NEW JERSEY. WITH THE APPROVALS FOR THE OFF-SITE DISPOSAL PLAN, WE THOUGHT WE WOULD FINALLY SEE AN END TO THE HAZARDS PRESENTED BY THE MISS. WITH THE PERMANENT REMOVAL OF THE THORIUM WASTE. IT APPEARS THIS WAS PRE-MATURE AND TOO OPTIMISTIC.

SINCE THE DOE'S PLAN NOW CALLS FOR WASHING THE CONTAMINATED SOIL, MERELY TO REDUCE VOLUME, BUT LEAVING CONTAMINATES HERE WHICH ARE STILL CONSIDERED TO BE AT TOO HIGH A LEVEL OF RADIATION BY THE DEPE; WHAT WILL REALLY HAVE BEEN ACCOMPLISHED? MAYWOOD WILL HAVE BECOME A PERMANENT SITE OF RADIOACTIVE WASTE, THE HEALTH HAZARDS WILL STILL EXIST, AND PROPERTY VALUES WILL CONTINUE TO DECLINE, SINCE NO REAL CLEAN-UP AND DISPOSAL WILL HAVE ACTUALLY TAKEN PLACE.

THE PEOPLE OF MAYWOOD WANT THE FEDERAL AND STATE AGENCIES TO WORK TOGETHER QUICKLY TO RESOLVE THEIR DIFFERENCES AND RID MAYWOOD OF THIS MATERIAL AT ONCE AND FOR ALL TIME.

SINCERELY,
Robert W. Holzer

Ms Cange,

How can DOE and EPA reject a plan for Maywood that EPA already approved for Montclair when DOE ignored the plan for Maywood in 1989? This plan was recommended by the state and the pile would have been gone in 1990.

Now you are talking 1996 and soil washing that did not work in Montclair. Is it not true that Maywood's wastes are higher levels than Montclair? But you still want to play with the soil wash.

Play with it if you like but don't play in Maywood! Our property values will drop if this becomes a permanent waste site!

Sincerely
Mr. + Mrs. Pat And
504 Maywood Ave.
Maywood, N.J.

document concerning this Thorium
pile.

As we near the time to
sell ^{our} ~~my~~ home I fear it
will be worth nothing as the
value of our home decrease
with the threat of Maywood
becoming a permanent hazardous
waste site.

We want the Thorium Pile
removed not cleaned & hidden
under tape with other hazardous
waste.

Please take an interest
and thank you for your attention
to this very critical matter.

James D. Cypke
c/o Belle Cre
Maywood, VT

6/3/94

To Mr. Canage

Why did the DOE and EPA try to ignore the state's environmental regulations by switching to a higher level that is not health based standard?

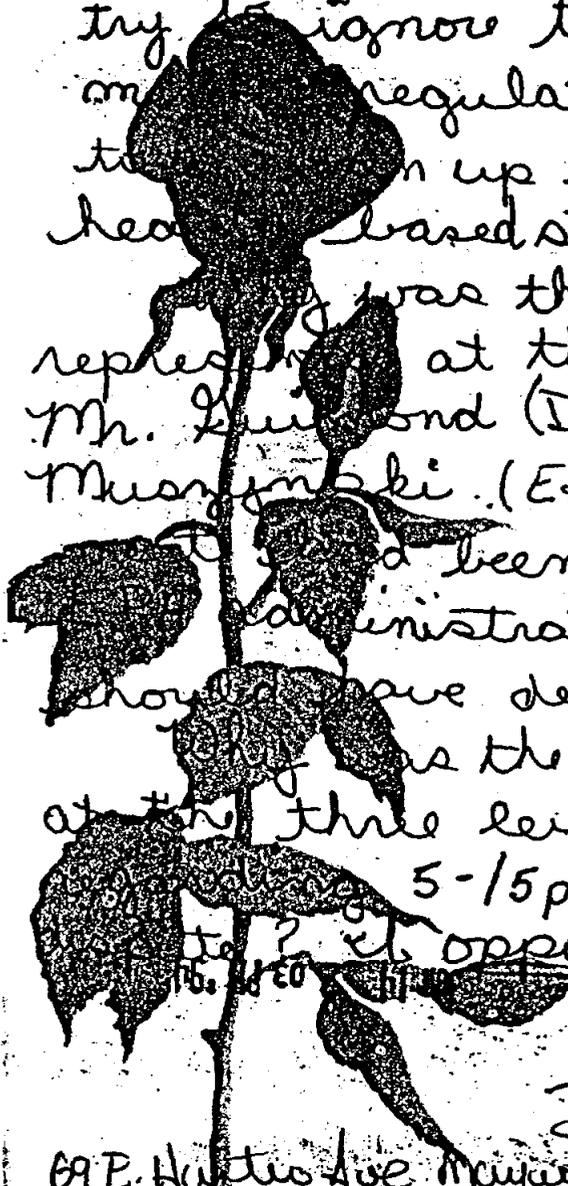
Why was the state not represented at the meeting between Mr. Linnond (DOE) and Mr. Muszynski (EPA) after no agreement had been reached and the administrator, Carol Browne should have decided?

Why was the state not present at the three levels of meetings regarding 5-15 pci/g or 5 pci/g to oppose soil washing?

Sincerely,

Debra + Gage

G.P. Hutto for Michael Huesinger



117688

614 Palmer Ave
Maywood, N.J.
07607

Jun 14 1 53 PM '94

June 9, 1994

Dear Sirs/ Madam,

I am a homeowner and a tax payer in Maywood, N.J. I am very disturbed about the Thorium situation in town & hope the removal of it will be resolved soon. I understood that the removal was all settled with the governing bodies. We had Thorium brought in & dumped on us from other towns making it more hazardous to the residents of Maywood.

I do not approve of the washing down because of the residue that will be left. It will turn into a dumping ground.

I want the Thorium completely removed. We have been exposed to this hazard long enough. The cancer rate is too high in Maywood.

Sincerely
Mary O'Neill

Jun 14 1 57 PM '94

only plan I favor is the correct one -
 ship all of the soil to Utah for the
 future health of our citizens and town.

Enclosed,

Mrs. Josephine Garcia
 817 Maywood Avenue
 Maywood, NJ 07607

Ms. Conze -

6/7/94

The presence of radioactive materials and
 by products in the limited light industrial
 district is a prohibited use under Maywood's
 Land Use Code. The MISS was put in this
 district. DOE has been in violation and would
 further violate if they tried to bring in
 additional radioactive materials.

But so that you and EPA know about
 it, the MISS has been rezoned to commercial
 high rise. The second property is now in
 a mid-rise residential zone.

I therefore oppose the 5-15 alleged
 clean up and the soil washing plan. The

International
Association
Of Machinists
And Aerospace
Workers



Local Lodge 1018
Post Office Box 31
La Guardia Station
Flushing, N.Y. 11371
Phone and Fax Number
516-997-0312

Pride In The Past

RE: Public Comments (EE/C
Faith In The Future on clean up

475 Bergen Avenue
Maywood, NJ 07607
June 07, 1994

Susan Cange, Site Manager
U.S. Department of Energy
Former Sites Restoration Division
P.O. Box 2001
Oak Ridge, Tennessee 37831-8723

Dear Ms. Cange:

The DOE lacks credibility in Maywood. See our 11/22/89 letter to R.P. Whitfield giving many reasons for our opinion for comments in DOE FY 1991-1995 brochure-8/89. Note Comment and DOE Response (1989)

DOE Response Pg. 247

ENVIRONMENTAL RESTORATION

ISSUE 17

COMMENT: DOE has no credibility in Maywood, New Jersey, where DOE officials cannot be trusted. Maywood has been the victim of lies and deccits.

RESPONSE: It is the intent of the Five-Year Plan to encourage public comment about concerns to assist 4DOE in dealing with its environmental problems. Frank discussions of current environmental problems with all interested parties is a major ingredient of the Five-Year Plan. It is the intention of the Department that through these discussions, new avenues of understanding can be developed by all concerned and that the Department's credibility with Federal and State agencies, Tribal governments, and the public can be restored. Any methods to improve this communication would be appreciated and should be identified to DOE.

Five years later, our opinion is that DOE lacks greater credibility. DOE has not improved relationship with the public in accordance with above Response, and even despite the establishing of an office in Maywood to improve their public relation image.

See 3/30/93 (Torell to O'Leary) ltr - regarding further subterfuge activity by DOE personnel, political activity on Tag Grants, lies and decept.(copy attached).

Approximately 5 years ago, March 18, DOE personnel met with local officials and the Envirocare representative, at which time it was decided that when Envirocare obtained the permit to accept mixed waste, it would be shipped to Utah. When this permit was received DOE classified the waste 11(e)2. Envirocare later received a permit to accept the 11(e)2.

See attached newsarticle (9/21/93) Record - Agency OKs dump site for contaminated soil - Clears the way for clean up in North Jersey. Senator F.R. Lautenberg quotes, "Soon, there will be a facility to ship these deadly toxics to. This clears a huge stumbling block in our efforts to get these wastes out of New Jersey."

S. Cange
6/07/94

Re: Public Comment on
Clean up of MISS

Subsequently to this good news, DOE personnel comes up with a soil washing method - an UNAPPROVED METHOD for clean up. Such a method DID NOT WORK IN MONTCLAIR, but DOE personnel has the gall to attempt to use it in Maywood and the nerve to call such an unproven method - technology. We have asked our officials that their office of public relations be closed, but perhaps while they are still here, the office should be called a propaganda office to brainwash the public into accepting the soil washing.

We have fought long and hard in Washington for passage of the Right to Know Law, which was enacted to protect the worker in hazardous industries and people who live near toxic waste sites. See attached copies of Rachel's Hazardous Waste News #370, Chemicals and Health - Part 2 and #371 - Chemicals and Health, Part 3, stating facts regarding increased risk of birth defects and some specific cancers to people living near a hazardous waste sites.

See attached Record newsarticle (6/4/94) N.J. balks at thorium cleanup - Asks U.S. to meet tighter standard and states that cleanup cannot legally begin without DEPE approval, and 6/8/94 newsarticle - EPA cuts price tag for radium cleanup - Essex project also taking less time.

IT CAN BE DONE FASTER AND CHEAPER - The clean up. THIS SHOULD BE APPLIED TO MAYWOOD TOO!!!

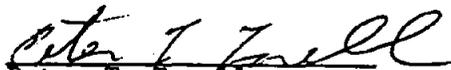
The DOE should not sacrifice the health of the public at any expense.

The original plan for Maywood is "Excavate and ship out once there was a place to put the waste". That is what the public has been fighting for the last 10 years.

While Secretary Hazel O'Leary welcomes whistle blowers, DOE personnel never acknowledged our requests for a meeting with her. We therefore have every reason to believe that our letters never reached the Secretary, but have been cut off with responses forwarded by her underlings.

Unless DOE personnel in charge of this project brings our requests to the attention of Secretary O'Leary, and giving her the true facts on this serious health issue, the matter should be forwarded to the Attorney General's office for a full investigation.

Sincerely,


Peter T. Torell


Louise Torell

ENCS: As stated above

cc: Concerned Citizens of Maywood

475 Bergen Avenue
Maywood, NJ 07607
November 22, 1989

RRR 435-121-391

Mr. R.P. Whitfield
Office of Defense Waste and
Transportation Management
DP-112 Attn: Five Year Plan
Department of Energy
Washington, D.C. 20545

Dear Mr. Whitfield:

#1 Your "Five Year Plan" (5 x 5) is almost as bad as your statement that "if DOE is to maintain credibility with the communities, cleanup must continue. "DOE HAS NO CREDIBILITY IN MAYWOOD."

#2 All we have seen is arrogance, lies, unethical collusion with certain local officials including deceiving the public, soliciting Maywood Borough Attorney for his suggestions prior to submitting draft proposal to Maywood officials and refusing even under the Freedom of Information Act to furnish their attorney solicitation letter alleging it to be interagency.

Lies: (A) R. Atkin (DOE) Executive Work Session- Maywood Mayor/Council, March, 1988 DID HE NOT STATE:

1. Did not know vicinity properties contained chemicals. (Despite Ebasco 1987 Report?)
2. Did not know Volt Co., a vicinity property had allegedly been cleaned up via ECRA (NJ).
3. Did not know NJPDES Permit NJ 0054500 limited storage on MISS to 180,000 cu. yds. including contaminated soil present at site prior to USDOE involvement. (And there goes your 5 year plan). There is 130,000 cu. yds. stored now.

4. More than once, publicly, including the Rochelle Park Planning Board that Congress had mandated DOE ownership of the MISS which Maywood vehemently opposed. (But James W. Vaughan, Acting Asst. Secretary, DOE, June 12, 1986, exposed that lie when he wrote Senator Bradley advising there has been no Congressional direction concerning the acquisition of a portion of the Stepan Co. for use as MISS. Even former Mayor Panos said DOE should agree to a fixed lease).

(B) Peter Gross, DOE, 2/19/88 to M.J. Nolan/Peter Torell
He said, "We did not find chemical contamination at the Ballod property".

1. Joyce Feldman, EPA, (6/12/86) to Mr. R. Atkin, DOE, "DOE is authorized to analyze soils at DOE sites for radiological characteristics only...No authority exists for DOE to certify chemical decontamination of a property, according to our discussions". Where are Gross's test results???

2. Joyce Feldman, EPA, 5/5/87 to M.J. Nolan

"Mr. Treia addressed question you raised inconection with removal of chemical contamination from the Ballod property prior to construction of the nursing home...All soils removed by DOE have been stored at the MISS". But J. Wagoner II, DOE, insists they are not in violation of the Memo of Understanding with Maywood that only allows radiological storage. The State permit does not authorize chemical heavy metals either.

3. James W. Stanley, Dept. of Labor, OSHA to Peter Torell (5/18/87)

"...That employees working at the Maywood construction site (Ballod property) were not being exposed to the contaminants (thorium & organic solvents that were present before the remediation".

4. David Paley (NJDEP) to Schepisi & McLaughlin (12/5/85) re: Ballod Property

"Results indicated contamination present in southern portion of property at approximately 100 parts per million - groundwater has not yet been investigated. When investigations performed there is strong possibility of encountering contaminated groundwater - because of known radioactivity, possibility cannot be ruled out of radon gas eventually being detected, especially in basement of a future home (nursing home?) Ballod and Rochelle Park are not included in your 1st 5 year plan. Which 5 year plan would they be in?"

5. John J. Treia (NJDEP) 12/2/86 to Peter Torell

"With regard to Ballod property nursing home - The Dept. has monitored closely both the radioactive and chemical contamination at the site."

Would you say your Mr. Gross was more than grossly in error? Why hide the presence of chemicals/heavy metals that EPA knew were present in 1981. What was his reason? 6. Then there was F. Brzanski, USEPA, to NYU Campbell, USNRC (1981) with test results showing arsenic, chromium, copper, lead, hydrocarbons, etc.

DECEIT: R. Atkin (DOE) meeting with Maywood Mayor and Attorney - August 5, 1985 wherein DOE is asked to furnish letter stating that current volume estimate of Lodi residential is 300 yds³. Estimate was actually much higher. But a small volume would be easier to sell to Maywood residents.

In a letter of August 26, 1985, E.L. Keller, DOE, not only complies but includes a draft press release for Mayor to use stating 350 cu. yds would be moved. This figure was used in the local newspaper but DOE already had approval (see 8/26/85 letter) before the issue came before the Mayor & Council. In New Jersey there is something known as the Sunshine Act. Lodi estimate for 1985 actually was 3000 yd³ and is now about 25,000 yd³.

Do you expect us to trust the DOE? and especially your first 5 yr plan of at least 25 years?

For a finale, refer to George B. Brzney (DOE) letter of April 13, 1987 to Peter Torell and read his Decision and Order. It is enclosed. Pages 1,2, and 3 should be enough. He admits he consulted with Borough's Attorney for his comments before making a settlement proposal in final form to the Borough which would be an attempt to end litigation challenging DOE's title to the property. Was not the DOE using the attorney hoping to sell the Borough whose interests should be the attorney's concern?

To top it off - Mr. Brzney had the gall to call it an inter agency communication? Then we were denied copy of R.S. Wittenauer's (DOE attorney) 7/24/86 solicitation letter to Maywood attorney in which he submitted the draft seeking any comments, changes, etc. that the Borough attorney may have.

Finally we received a copy of the July 24, 1986 letter showing the first two paragraphs and the rest, blank. (copy enclosed).

175

11768

Mr. Whitfield
Pg.3 - 11/22/89

Ask Mr. Watkins if he approves of these unbelievable actions of DOE officials or will he call for a CAO investigation?

In a letter of April 23, 1989 to me, Gordon Binder, Chief of Staff, USEPA, stated, quote - "I wish I could have broken through all obstacles in one fell swoop but this matter is now interagency which means us've got to work with DOE."

#3 Certainly this should be changed. The USEPA and NJDEP should handle the Utah Disposal Plan with proper enforcement against the responsible party/parties.

Sincerely,

Louise Torrell
Louise Torrell, Secretary
Concerned Citizens

Encs.

cc: Admiral J.D. Watkins, Secy (DOE)
Congressman Florio
Congressman Courter
Congressman Roe
Senator Lautenberg
Mayor & Council, Maywood
Wm. Reilly, Administrator (USEPA)
Senator Bradley

475 Bergen Avenue
Maywood, NJ 07607 7688
March 30, 1993

Hazel O'Leary, Secretary
Department of Energy
1000 Independence Avenue, S.W.
Washington, DC 20585

Dear Ms. O'Leary:

These are my comments on the DOE Five Year Plan 1994-1998, sent to assure inclusion in the comments and responses.

First, the Site Manager and personnel involved at the DOE "information" office in Maywood have carefully managed to keep the 1994-1998 plan out of the hands of Maywood residents. There has been no copy at the office and, as late as March 24, the site manager said, "Oh, they are updating the 1994-1998 Plan". Yes, there is a general lack of trust of DOE here and at the site in Wayne, N.J.

Such an information office is a waste of taxpayers money. This is what DOE terms a Community Relations Program to educate the public. See the first attachment showing pickets and the cost for the unnecessary office.

(NO MORE THORIUM, PROTESTORS DEMAND - 4/24/92)

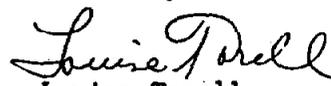
And the second attachment - (Why Have They Lied to You!!! - You Have the Right-to-Know!!!) This quotes Mr. William Seay and James Wagoner (both DOE) saying more funding to start a Utah (disposal) move would be available if EPA reassumed control of the Maywood Project through its Superfund. Mr. Wagoner is quoted saying EPA has a pot of money called Superfund and DOE does not because they have to request the money. Why shouldn't EPA reassume control of the Project. It was a Superfund Site since 1983 and never was a Fusrap Site. Proof of this is readily available.

The third attachment is an August 25, 1992 memorandum from Concerned Citizens of Maywood, N.J. to Bergen County Executive, Wm. Pat Schuber on the subject: Legal EPA TAG Grant vs. DOE Illegal TAG Grants?

While Page I-172 of the 5 Year 1994-1998 DOE Plan says the cleanup process must not be politically controlled but must be a joint effort between municipalities and the government for the benefit of the public - the memo shows use/missuse of a \$50,000.00 carrot to set up a local politicians coalition to work toward DOE's goal of overcoming the public's objections to and mistrust of DOE personnel and activities - especially DOE's intent to continue to store wastes in Maywood from other towns about which they lied. After 10 years Maywood has 35,000 more cu. yards from outside.

We certainly expect some investigative action, not just the usual curt response "summary".

Sincerely,


Louise Torell
(201-845-8394)

cc: President Bill Clinton

P.S. See attached for list
of enclosures

Agency OKs dump site for contaminated soil

Clears the way for cleanup in North Jersey

By CHRISTOPHER MUMMA
Staff Writer

The federal Nuclear Regulatory Commission on Monday granted a key approval in the long-running effort to clean up thorium-contaminated soil in Maywood and Wayne, allowing for the storage of uranium and thorium at a remote site in Utah.

In approving the 4-year-old application by Envirocare of Clive, Utah, the NRC established the first commercially li-

censed facility in the United States for the disposal of low-level radioactive material like thorium. Formal approval from the federal Environmental Protection Agency is expected within the month.

Thorium, a byproduct of the manufacture of gas lanterns at the Maywood Chemical Works between 1916 and 1956, has been found on property formerly owned by the Stepan Co. Thorium is a radioactive element that breaks down into radon, a gas linked to lung cancer.

By the estimates of the federal Department of Energy, there are about 400,000 cubic yards of thorium-contaminated soil at 55 properties in Maywood, Rochelle Park, and Lodi. About 35,000 yards of soil

See THORIUM Page B-2

BERGEN RECORD

TUESDAY, SEPTEMBER 21, 1993

THORIUM: EPA approval expected

From Page B-1

is stored under tarpaulins in Maywood.

The Wayne site, formerly owned by the W.R. Grace Co., a chemical and shipping firm, contains about 40,000 cubic yards of contaminated soil, all of which is being stored. Soil from that site was contaminated when the firm extracted the element and rare materials for use in gas lamps and optical lenses.

Both sites are on the EPA's Superfund list.

The DOE, which has been in charge of the cleanup since 1985, was expected to release a cleanup plan for the Maywood site in July. That plan, which could cost up to \$416 million, called for the disposal of some part of the soil in Utah

or Washington. No timetable for the removal of the soil has been established.

But a disagreement between the DOE and the EPA over the definition of contaminated soil has delayed the release of the plan. Despite the delay, New Jersey Sen. Frank R. Lautenberg welcomed the approval by federal regulators.

"This is great news for the citizens of Wayne and Maywood," Lautenberg said in a statement. "Soon, there will be a facility to ship these deadly toxics to. This clears a huge stumbling block in our efforts to get these wastes out of New Jersey."

The Utah site to which the soil will be taken is an uninhabited, re-

mote location about 100 miles west of Salt Lake City. Just off Interstate 80 in the Great Salt Lake Desert, Clive is home to two large hazardous-waste disposal firms, and not much else.

Clive is part of a larger, 100-square-mile zone known as the Hazardous Industry Area, where a number of hazardous waste firms are located, said Myron Lee, a public education specialist in Toelle County, Utah.

"It's not really a town," Lee said. "It's kind of like a milepost in the road. It's 50 miles from nothin'."

Staff writer Colleen Mancino contributed to this report.

CHEMICALS AND HEALTH--Part 2

The Assistant Surgeon General of the U.S. Public Health Service, Barry L. Johnson, told Congress in May 1993 that living near a hazardous waste site "seems [to be] associated with a small to moderate increased risk of some kinds of birth defects and... some specific cancers."¹ Since 1986 Johnson has been Assistant Administrator of the Agency for Toxic Substances and Disease Registry [ATSDR], the unit of the Public Health Service that Congress created to deal with hazardous waste health issues.

Johnson told Congress that "health investigations of communities around some... hazardous waste sites have found increases in the risk of birth defects, neurotoxic disorders, leukemia, cardiovascular [heart and circulatory system] abnormalities, respiratory and sensory irritation, and dermatitis [skin disorders]."

Johnson told Congress there were 1331 dump sites on the official Superfund list, as of last May. He said industrial solvents are present at 87% of the sites; inorganic compounds (such as lead) at 87%, and pesticides at 50% of the sites. He said 41 million Americans live within 4 miles of 1134 Superfund sites that were studied. On average, 3325 people live within one mile of each site; since there are 1331 listed sites, this means a total of 4.6 million Americans live within a mile of an official Superfund site today.

Johnson said a typical site contains more than 100 different chemicals; "such mixtures may be much more toxic than any of the individual chemicals," he told Congress. [The situation is actually somewhat worse than Johnson described. U.S. Environmental Protection Agency (EPA) analyzed leachate at 13 representative hazardous waste sites from across the country. Only 4% of the organic chemicals in the leachate were identified by gas chromatography/mass spectroscopy [GC/MS], but this 4% included 200 individual chemical compounds, including 13 metals. "The unidentified 96%" of the organic chemicals is "of unknown toxicity," the National Research Council said when it reported EPA's findings in 1991.²]

To illustrate the point that even a single chemical can cause real problems, Johnson discussed the industrial solvent trichloroethylene (the second-most common chemical found at Superfund sites, after lead). He said, "An increasing body of scientific evidence indicates past exposures to hazardous substances can cause latent [delayed] adverse health effects. Recent findings from the ATSDR exposure registry of approximately 5000 persons exposed in the past to trichloroethylene (TCE) in drinking water showed registrants reporting elevated rates of diabetes, stroke, elevated blood pressure, and neurologic problems."

Johnson then described two large cancer studies that compared the health of people in counties with

hazardous waste sites to the health of people in counties without hazardous waste sites. Both studies found an increased frequency of cancers in counties with hazardous waste sites. A 1983 study reported that age-adjusted gastrointestinal (GI) cancer death rates were higher than national averages in 20 of New Jersey's 21 counties (for the period 1968-1977). The environmental variables that correlated most closely with elevated death rates were population density, urbanization, and presence of toxic waste disposal sites.³ A 1989 study looked at 593 hazardous waste sites in 339 U.S. counties (in 49 states) where contaminated ground water was the sole source for drinking, during the period 1970-1979.⁴ (See *RHWN* #127.) Excess cancer deaths were found in counties with hazardous waste sites compared to counties without hazardous waste sites for the following kinds of cancers: lung, bladder, esophagus, stomach, large intestine, and rectum for white males; and cancers of the lung, breast, bladder, stomach, large intestine, and rectum for white females. Non-whites were not studied.

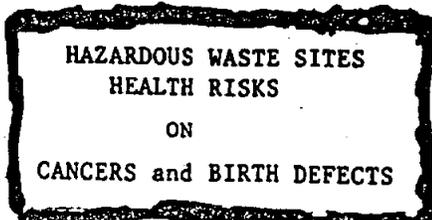
Johnson described a study by the New Jersey Department of Health of reproductive effects associated with contaminated drinking water.⁵ Public drinking water systems were evaluated in 75 towns in northern New Jersey. The study looked at all live births and stillbirths (excluding chromosomal defects and plural births) during the period 1985-1988 in the 75 towns. The 75 towns were not known to have excessive health problems. Although some water systems had levels of certain contaminants above federal standards at the time of the study, contamination levels in the 75 towns are thought to be typical of U.S. water supplies, Johnson told Congress.

In the 75 towns, statistically significant associations were found for the following: total trihalomethanes [the chemicals formed in drinking water supplies when chlorine is added to kill germs] were associated with low term birth weight, intrauterine growth retardation, central nervous system defects, and major heart defects. Trichloroethylene (TCE) was associated with neural tube defects [defects of the spinal cord and brain] and oral cleft defects [for example, cleft palate]. Carbon tetrachloride was associated with low term birth weight, intrauterine growth retardation, central nervous system defects, and oral cleft defects. Dichloroethane was associated with major heart defects, and dichloroethylenes were associated with central nervous system defects.

Johnson then described a large study of birth defects among children whose mothers lived near waste dumps in New York state. "A particularly important study" examined the association between congenital malformations in children and maternal proximity to hazardous waste sites in the state of New York," Johnson told Congress. Researchers at the Yale University School of Medicine and the New York

State Department of Health (NYDOH) studied 27,115 births and concluded that, overall, women living within a mile of an inactive dump have a 12% greater chance of bearing a child with a major birth defect, compared to women living further than a mile from a dump. (See *RHWN* #313.)

The researchers looked at 590 inactive dump sites in 20 northern New York Counties. Among the 590 sites studied, 90 were ranked as "high risk" sites because there was documented evidence that chemicals had migrated off the sites. The study found that women living within a mile of any of these 90 sites had a 63% greater chance of bearing a child with a major birth defect, compared to women living further than a



CHEMICALS AND HEALTH—Part 3

Several studies of industrial dumps and contaminated water supplies during the last decade have reported adverse health effects among exposed human populations.¹ The principal health findings include:

- Significantly reduced stature (height) for a given age among children who lived near Love Canal, the chemical waste dump in Niagara Falls, N.Y., compared to a control group of children living further from the dump.²
- A higher prevalence of birth defects and liver disease among persons living near a thorium waste disposal site in Wayne, New Jersey, compared to persons living further away from the site.³ (Thorium is a naturally-occurring radioactive element processed on this site by a private firm under contract to the old Atomic Energy Commission, now called the Department of Energy.)
- Low birth weight and birth defects in California children born in census tracts having waste disposal sites.⁴
- Enlargement of the liver (hepatomegaly) and abnormal liver function tests reported in residents exposed to solvents from a toxic waste dump in Hardemann County, Tenn.⁵
- Dermatitis, respiratory irritation, neurologic symptoms and pancreatic cancer at 7 waste disposal sites.⁶
- Significantly elevated rates of illness, including chronic kidney disease, stroke, hypertension (high blood pressure), heart disease, anemia, and skin cancer in a population exposed to toxic metals (cadmium and lead) from mine wastes in Galena, Kansas.⁷
- Leukemia (cancer of the blood-forming cells) among a group of children drinking water contaminated with industrial solvents in Woburn, Mass. In addition, a study of 4936 pregnancies and 5018 residents of Woburn aged 18 or younger revealed significant positive associations between intake of contaminated water and birth defects of the central nervous system, eye, ear, and face (e.g., cleft palate), as well as abnormalities of the chromosomes.⁸
- In Lowell, Mass., a group of 1049 people living 1200 feet from a large chemical waste dump was higher in self-reported complaints of wheezing, shortness of breath, cough, and persistent colds; irregular heart beat; constant fatigue and bowel dysfunction, compared to people living 2 and 3 times as far from the dump.⁹ This study examined the possibility of recall bias (people selectively remembering health problems, or chemical exposures) and concluded that recall bias did not explain the findings.
- In Hamilton, Ontario, a study of people who lived and/or worked near an industrial dump revealed significantly elevated rates of the following conditions: bronchitis; difficulty breathing; cough; skin rash;

arthritis; heart problems (angina [chest pain], and heart attacks); muscle weakness in arms and legs; tremors, cramps, and spasms; headaches; dizziness; lethargy; balance problems; and mood symptoms (anxiety, depression, insomnia, irritability, and restlessness) compared to populations living further from the site.¹⁰ Recall bias was examined and rejected as the source of these problems.

- A survey of 2039 persons in 606 households living near the Stringfellow Acid Pits in Riverside County, California revealed significantly elevated rates for the following conditions: ear infections; bronchitis; asthma; angina (chest pain); skin rashes; blurred vision; pain in the ears; daily cough for more than a month; nausea; frequent diarrhea; unsteady gait; and frequent urination.¹¹ Recall bias was examined and rejected as the cause of these problems.

- In Tucson, Arizona, a study of 707 children born with heart defects revealed that 35% of them were born to parents living in a part of the city where the water supply was contaminated with industrial solvents (trichloroethylene [TCE], and dichloroethylene). The rate of birth defects of the heart was three times as high among people drinking the contaminated water, compared to people in Tucson not drinking contaminated water.¹²

- A study of 296 women experiencing a spontaneous abortion during the first 27 weeks of pregnancy, compared to 1391 women having live births, revealed an association between spontaneous abortion and drinking water contaminants (detectable levels of mercury, or high levels of arsenic, potassium and silica).¹³

- Residents of Bynum, North Carolina, drinking raw river water contaminated by industrial and agricultural chemicals, have developed cancers 2.4 to 2.6 times more often than expected.¹⁴

To summarize: Epidemiological studies cannot prove a cause and effect relationship. Nevertheless, available information indicates that hazardous waste dumps can harm, and have harmed, humans living nearby. Likewise, contaminated water supplies have harmed people.

The problem of waste dumps is continuing to grow. As the National Research Council of the National Academy of Sciences said in 1991, "A limited number of epidemiologic studies indicate that increased rates of birth defects, spontaneous abortion, neurologic impairment, and cancer have occurred in some residential populations exposed to hazardous wastes. We are concerned that other populations at risk might not have been adequately identified." And the Council said, "Millions of tons of hazardous materials are slowly migrating into groundwater in areas where they could pose problems in the future, even though current risks could be negligible."¹⁵

There is a move afoot now in Washington, and in the mass media, to divert attention away from the problem of toxic wastes. The goal seems to be to cut funding for the federal Superfund program of toxic waste cleanup. It seems clear that such a move, if successful, will result in increased health costs for the American people.

MAYWOOD HAS SIMILAR WASTES!!!

SATURDAY

11768

The Record

JUNE 4, 1994

Friend of the People It Serves

N.J. balks at thorium cleanup

By MICHAEL MOORE
Staff Writer

The state Department of Environmental Protection and Energy is refusing to approve the federal government's plan to remove thorium-tainted soil spread throughout Maywood and Wayne, a move that could further delay a cleanup first promised more than a decade ago.

Calling the federal Department of Energy's cleanup plan for 510,000 cubic yards of radioactive soil "dangerous to the public," the DEPE is withholding its needed approval until the federal agency agrees to meet stricter standards.

"We don't believe the DOE's cleanup plan either complies with state law or affords an acceptable

Asks U.S. to meet tighter standards

level of protection to the public," said Nick Martone, DEPE manager for the Maywood and Wayne sites. "We're not going to go along with this and give residents a false sense of security."

Trumpeted as one of the final obstacles to solving the radioactive soil woes of North Jersey, the DOE's long-anticipated cleanup proposal, hammered out with the federal Environmental Protection Agency, calls for contaminated dirt to be cleaned to a level of 5 picocuries of radiation per gram of soil in residential areas and 15 pi-

cocuries per gram in commercial districts.

But DEPE officials believe 15 picocuries is too high and want the 5 picocurie standard applied to both residential and commercial properties. Martone said cleanup cannot legally begin without DEPE approval.

A picocurie is a unit of radioactivity. Thorium is a radioactive element that breaks down into radon, a gas proven to cause lung cancer and other ailments.

Area officials support the DEPE's demand for a uniform 5 picocurie standard.

Wayne Mayor David Waks, who has been writing to the DEPE to push for stricter standards, ap-

See THORIUM Page A-8

THORIUM: State balks at U.S. proposal

From Page A-1

plauded the agency's decision. "I hail the DEPE," he said. "They are starting to see the light of day."

"At least the DEPE has taken a tough, protective stance. The federal agencies should get in line with the state's directive so we can clean this up quickly and safely," said Bergen County Executive William "Pat" Schuber. "I will be pressing Governor Whitman to intervene and push the federal agencies to adopt the standards of the DEPE."

Whitman spokesman Carl Golden said the governor is aware of

North Jersey's thorium dilemma and is willing to intervene.

"The governor knows residents have a good cause for concern," he said. "This has to be cleaned up and, after consulting with DEPE commissioner (Robert Shinn), she will get things moving with the federal agencies."

But the DOE said New Jersey's apparent refusal to approve the plan could further delay the cleanup, first proposed in 1983.

"I don't know what will happen next and I'm not sure what the DOE or EPA's position is now," said Susan Cange, DOE site manager for Maywood and Wayne.

"It's too early to say what we'll do. We're still waiting to get the state's position in writing."

The EPA, which originally supported a uniform 5 picocurie cleanup standard but later backed off after grappling with the DOE for a year, said the federal agencies may have to reconsider their positions.

"It's understandable why the state has misgivings," said Jeff Gratz, EPA site manager in Maywood and Wayne. "Our assumption of 15 picocuries being protective may have to be reevaluated. We may have to look at a lower criteria."

The thorium is a byproduct of the manufacture of gas lanterns at the old Maywood Chemical Works between 1916 and 1956, and at the former W. R. Grace & Co. plant in Wayne between 1948 and 1971.

Officials fear that the process of developing new standards, coupled with the possibility of disagreement negotiating a compromise, could further delay the cleanup of the soil, just as the DOE and EPA squabble delayed the existing plan for 13 months.

"I hope this doesn't turn out like it did a year ago between DOE and EPA," Cange said. "But I can't say for sure that it won't."

THE RECORD WEDNESDAY, JUNE 8, 1994

EPA cuts price tag for radium cleanup

Essex project also taking less time

By MARIS PERLOW

The Associated Press

TRENTON — The U.S. Environmental Protection Agency estimates that cleaning up radium contaminating three Essex County neighborhoods won't be as costly — or as slow — as first projected, an official said Monday.

The original EPA estimate was \$250 million, with a target date of 2000. The figure has dropped to \$200 million, with completion sometime in 1997.

EPA engineer Robert McKnight said the reductions can be attributed to the agency's overestimating disposal costs and contractors' making lower-than-expected bids to landscape the contaminated homes in Montclair, Glen Ridge, and West Orange.

The EPA suspects that the area was contaminated sometime during World War I, when a company in Orange called U.S. Radium painted the radioactive substance on watch dials to make them glow in the dark. Radium waste from the manufacturing process may have been dumped in the three

areas, but McKnight said it's uncertain how the neighborhoods were contaminated.

In those areas, there are 350 homes slated to be cleaned up, and 100 have been decontaminated, McKnight said.

The cleanup cost for about 30 percent of the homes is about \$500,000 each, he said, but for some the work can cost as little as \$1,000. Cleanup involves removing the radium-tainted soil and bagging it.

The bags then are shipped to a federally licensed disposal area in Clive, Utah. So far, about 115 million pounds has been shipped to the area since the project began in 1990.

Radium has a 1,600-year half-life, or the time period it takes for half the atoms in a radioactive substance to decay.

As radium decays, it emits gamma radiation and radon. Both are known carcinogens and can seep into homes.

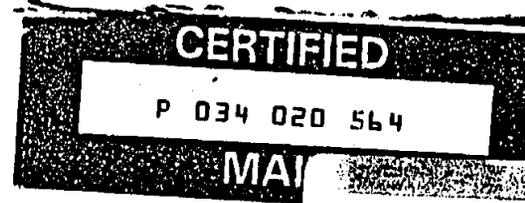
McKnight said radon mitigation systems have been installed in the homes, but the removal of radium, the source of the emissions, is the most important part of the cleanup.

P. T. Torelli
475 Bergen Ave.
Maywood, NJ 07607

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Susan Cange, Site Manager
U.S. Department of Energy
Former Sites Restoration Division
P.O. Box 2001
Oak Ridge, Tennessee 37831-8723

11763

CONCERNED
CITIZENS
of MAYWOOD



11768

JUN 13 1 52 PM '94
FOR IMMEDIATE RELEASE

June 8, 1994

Susan M. Cange
U.S. Department of Energy
Former Sites Restoration Division
P.O. Box 2001
Oak Ridge, Tennessee 37831-8723

Re: EE/CA proposed pile removal with option for soil washing-public comment

Dear Ms. Cange:

The following are comments of Concerned Citizens of Maywood (CCM) on above EE/CA which we strongly oppose. However, this may again be an exercise in futility. Why?

Because the letter (7/20/93) from Michael J. Nolan (CCM) to Secretary Hazel O'Leary requested she include his letter of January 27th 1993 with attachments to Wm J Muszynski, Acting EPA Regional Administrator Reg II, in the administrative record as modifying criteria per EPA Directive No 9355.03-01 FS4. Mr. Albert S. Johnson (DOE) refused for Ms. O'Leary despite requirement that known community concerns should be reflected in the preferred alternative.

Mr. Muszynski did place the letter in the EPA Administrative Record and Ms. O'Leary should now do the same since this EE/CA conflicts with the DOE Preferred Option mandated by Public Law 98-50 per Congresswoman Lloyd (6/1/84) to Shelby Brewer (DOE) and agreed to by Brewer to Lloyd (7/6/84) and reported to Congressman Tom Bevill (4/11/86). Letter copies enclosed.

Comments filed by Maywood and Wayne residents on the 1994-1998 DOE Five Year Plan were not included in the August 1993 Volume III - Public Concerns. DOE also omitted the Borough of Maywood endorsement of the 1989 NJ DEPE Utah Plan as a comment on a prior 5 year plan.

Accordingly, we request that all copies of all comments received on this EE/CA be spread in the Administrative Record rather than a Cange style summary.

We challenge DOE to excavate and ship all the Pile offsite for disposal and say what day it will start and be completed. Contractors have already estimated the Wayne Pile can be removed in less than 6 months!

But the DOE wants the option of implementing volume reduction treatment? They want to experiment with unproven soil washing which was rejected in Montclair because the EPA could not separate the soils for a 5 pCi/g health based standard clean up. What happens if soil washing did work? It makes two piles. But instead of 5 pCi/g the DOE wants a 15 pCi/g level, which is not a health based standard. The Pile reading above 15 pCi/g would be shipped out and the Pile reading as high as 15 pCi/g

Susan M. Cange
Re: CCM comments
June 8, 1994
page 2

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would be left on the MISS. Instead of a clean up, Maywood would become a permanent disposal area instead of an interim storage area site. Jeff Gratz (EPA) in writing told Susan Cange (DOE)(1/28/94) that "proposals that leave residual contamination onsite results in a permanent disposal area." Maywood wants a clean up that allows for unrestricted use of properties.

The Mayor & Council have gone on record that they oppose the soil washing and leaving contaminated soils. They have called on the EPA/DOE to excavate and dispose offsite all the contaminated soils above 5 pCi/g standard.

Page 34 of the DOE EE/CA on the Pile Plan states the removal with the option would be conducted only with the approval of the affected local authorities. Are you going to ignore your own published comittment?

Who could allow you to ignore the following facts:

1. Letter from Maywood Borough Attorney (6/6/94) to Kathleen C. Callahan (EPA) expressing Mayor & Council opposition to the "5/15" criteria and soil washing. It includes the New Jersey Senate Resolution No. 66 introduced on May 12, 1994 calling on DOE, EPA and NRC in conjunction with state officials to effectuate the immediate and permanent removal of all thorium contaminated soil from the MISS and other sites in Maywood Borough, Rochelle Park Township, and Lodi Township, N.J.
2. Senator Byron Baer (our District 37) May 17th letter pointing to the fact that "The Resolution addresses contaminants that might be underground as well as those found in the Pile."
3. Borough Attorney Fede's letter of April 13, 1994 to Wm. J. Muszynski's (EPA) reporting Mayor & Council opposition to any use of the 15 pCi/g standard and urging a stop to any activities advancing the EPA Region 2 position on the dispute.
4. Maywood Council Resolution 136-93 dated 10/26/93 endorsing 5 pCi/g clean up standard removal with no further storage within Maywood.
5. Page C-39 of NJDEPE Comments (Karl J. Delaney) to DOE 1994-1998 5 Year Plan - advises "State uses criteria of one in a million excess cancer occurrences within an exposed population and this is a minimum which is applied to all remedial activities conducted within New Jersey." Does this not settle the issue? No other meetings are necessary. Would you dare send your Mr. Guimond to NJDEPE as you did to EPA and with whose approval?
6. June 4, 1994 (The Record) "N.J. balks at thorium clean up" - does not comply with state law, dangerous to the public - not acceptable level of protection to the public - and a 5 pCi/g standard should be applied to both residential and commerical properties

7. Jeffery Gratz (EPA) March 14, 1994 letter to Wayne resident - "For the Montclair site - soil washing could not effectively and efficiently meet the DOE remedial action objectives" - which was a 5 pCi/g clean up level!
8. Page 11 -12 - 18 of consultant's Soil Separation Report for Wayne - page 12 states "in this test, the characteristics of the "clean" stream are in fact that of a 'dirty' stream." This was Montclair test. Page 18 says "at this juncture, it is likely that DOE will go for the 15 pCi/g standard, arguing cost minimization and savings to taxpayers." In May 25, 1994 letter to Maywood Mayor and Council, County Executive Pat Schuber stated - "if the 15 pCi/g standard is being utilized for cost measures, then we are subjecting future inhabitants of these properties to questionable health risks due to economics." He also stated "The protection afforded to residential properties should be applied to commercial settings" and "the EPA/DOE Decision, however is not endorsed by the general public."
9. Schuber letter (11/19/93) to Mayor and Council - he supports the 5 pCi/g standard for clean up as recommended by NJDEPE and EPA.
10. Congressman Torricelli letter (11/22/93) assures he will continue to work to remove "every bit" of thorium waste from Maywood as soon as possible
11. Letter (5/18/94) to NJDEPE Commissioner Robert Shinn from Dr. Resnikoff, Maywood's consultant clearly establishing the necessity for a 5 pCi/g standard for clean up.
12. From Soil Separation Report (4/20/94) for Wayne by RWMA - "In the agreement pertaining to Maywood, the DOE has stated they are bound to "clean" only to a level of 15 pCi/g but they will make a "Best Effort" to exceed this and approach or exceed the 5 pCi/g limit where possible. This agreement leaves considerable uncertainty with the DOE having the option to "clean" only to the level of 15 pCi/g, when the "Best Effort" proves too costly. Having 15 pCi/g material remain at the site means the use of the sites will be subject to restrictions, essentially forever, and is likely to result in the decreased values for adjoining properties.
13. Page 5 - 6 - 13 of RWMA comments on Baseline Assessment: Wayne "Some of the Wayne wastes came directly from Stepan Chemical," shipped October 11, 1963. Look at those pCi/g radioactive concentrations - nothing under 3270 and on up to 98100. And they came from Maywood! Montclair could not soil wash 40 pCi/g!
14. Letters from George Pavlou, (EPA) to Nolan (CCM) (4/4/94) and C. Tudd, Envirocare, (7/6/93) to A. Drol (Wayne). Pavlou states "that DOE chose to dispose of waste only from UMTRCA sites at the South Clive facility rather than waste from Maywood and Wayne during 1983 through 1988 was a DOE waste management decision; EPA was not part of that decision making process."

Susan M. Cange
Re: CCM comments
June 8, 1994
page 4

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Judd says 2.5 million cubic yards of 11(e)2 waste was disposed of in that period.

In 1989 EPA/DOE rejected State's Utah Plan. Meanwhile we were told no site was available while DOE tried to force the State to locate a site in N.J.. So don't talk to us about delay or cost savings to the taxpayers while you ignore the responsible parties. Talk to us about the truth! Talk to us about excavate and disposal offsite as was mandated by Congress. Nothing else!

Talk to us about our federal officials and what they have said through the years and especially now when they talk of cost savings to the taxpayers but cannot spell RESPONSIBLE PARTY or admit they cannot fund the projects for proper clean ups. Richard Guimond (DOE) has said Congress is underfunding FUSRAP! Want proof?

15. Look at the DOE memo of January 26th 1994 under December 14th 1993 - Maywood Dispute: Review of the next steps after Guimond Muszynski meeting. We know what took place and we suggest that Mr. Guimond head his ship away from NJDEPE officials and us. One cave in has been corrected by the State's insistence on the health based 5 pCi/g clean up standard.

As we said, no more meetings or "agreements" or "positions" are necessary. Let's get on with it or a full investigation.

Thank you.

Sincerely,



Chuck Parodi FAX : 201-845-3271

President, Concerned Citizens of Maywood/48 West Grove Avenue, Maywood, NJ

cc: Governor Whitman
Carol Browner (EPA) Administrator
Hazel O'Leary (DOE) Secretary
U.S. Senator Lautenberg
Congressman Torricelli
Wayne Mayor & Council
Maywood Mayor & Council
Congresswoman Roukema
Bergen County Executive Pat Schuber
N.J. PIRG
Robert Shinn (NJDEPE) Commissioner
Jeanne Fox EPA Region II
Dr. Marvin Resnikoff

Enclosures: For numbers one through fifteen

11768

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OF COUNSEL

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- RICHARD JON CONTANT*
- MICHAEL L. SCHERBY**
- BRUCE L. ATKINS**
- DANIEL P. GREENSTEIN*
- MATTHEW S. ROGERS
- ANDREW T. FEDE
- BRIAN T. KEANE*

- JULIE K. GRAPIN*
- STEVEN D. GROSSMAN*
- GERALDINE E. BEERS*
- WILLIAM J. BAILEY
- S.Y. KIM*

*ALSO MEMBER OF NY BAR
*ALSO MEMBER OF FLA BAR

PLEASE RESPOND TO:
HACKENSACK

June 6, 1994

Kathleen C. Callahan, Director
Emergency and Remedial Response Division
United States Environmental Protection Agency
Region II
Jacob K. Javits Federal Building
New York, NY 10278-0012

Re: Borough of Maywood

Dear Ms. Callahan:

Thank you for your May 10, 1994 letter, which replies to mine of April 13, 1994. The Mayor and Council have asked me to write you to again express their strong disapproval of the "5/15" criteria for the cleanup, and opposition to a "soil washing" operation on the Maywood Interim Storage Site ("MISS"). The MISS property should be cleaned to the 5 pCi/g standard. Although you refer to land use considerations in your letter, the Mayor and Council are convinced that the "residential" standard is the only viable health-based standard for the MISS. The property should be cleaned up so that residential, commercial, or industrial uses are permissible. The time to do this is now, not later, as you imply, as land use changes affect the properties.

I enclose for your review Resolution No. 66, of the New Jersey Senate, which calls for the immediate removal of all contaminated soil from the MISS, and the related properties. The Mayor and Council of the Borough of Maywood have also expressed this demand by Resolution, as have the voters of the Borough of Maywood, by referendum.

The Mayor and Council also must again express opposition to the proposal for "soil washing" on the MISS. The MISS is in a highly populated and congested residential area. This is not the place for the use of the untested "soil washing" operation. I note the following, as reported by The Record on May 24, 1994:

(1.)

Kathleen C. Callahan, Director
Re: Borough of Maywood
June 6, 1994
Page -2

11768

An April 1993 report by the EPA on the proposed cleanup of thorium and radon in Orange stated: "No treatment technology is known today that can substantially reduce the toxicity, mobility, or volume of the type of radiation." The report suggested disposal of all the contaminated soil.

According to an EPA report released in December 1993, before it and the DOE resolved long-standing differences on how to remedy the Wayne and Maywood contamination problems, "separation of soil and radioactive contaminants has been ineffective and was considered "not feasible" for Maywood and Wayne.

Released in February, DOE literature introducing the soil-washing alternative said: "The effectiveness of [soil washing], or how well the process will work, is uncertain."

With this information at hand, the Mayor and Council strongly oppose soil washing at the MISS.

Of even greater significance, however, is the strong position taken by the New Jersey Department of Environmental Protection and Energy. As reported in The Record on June 4, 1994, the New Jersey DEPE has called the proposed clean-up plan "dangerous to the public." The DEPE has correctly called for strict adherence to the 5 pCi/g standard.

The Mayor and Council urge that the E.P.A. and the D.O.E. follow the lead of the New Jersey DEPE. I also request that you provide me with the information you refer to in your letter, which you state would indicate that the type of soil washing unit being considered has been operated safely and effectively elsewhere in the country. I also ask that you advise me of when and how the "revised cleanup proposal" will be formally presented for public comment.

Thank you.

Very truly yours,



ANDREW T. FEDE

ATF:RG

cc: Mayor and Council ✓
Congressman Robert G. Torricelli
Senator Frank R. Lautenberg
William P. Schuber, Bergen County Executive
James Pasquale, New Jersey Department of Health
Nicholas Martone, New Jersey DEPE
Governor Christine Todd Whitman
Commissioner Robert Shinn, New Jersey DEPE

(1)



NEW JERSEY SENATE

RECEIVED 11768
MAY 19 1994
BOROUGH OF

BYRON BAER
SENATOR, 37TH DISTRICT
BERGEN COUNTY
125 STATE STREET
SUITE 205
HACKENSACK, NEW JERSEY 07601
201 343-3333
FAX 201 343-1594

May 17, 1994

*✓ MIC felt
Atty. Gen.
M. P. ...*

Hon. Mayor John A. Steurt and
Members of the Council
Borough of Maywood
459 Maywood Avenue
Maywood, NJ 07607

Dear Mayor Steurt and Council Members,

Enclosed is a copy of SCR 66 dealing with the removal of all thorium waste from Maywood and from your neighbors in Lodi and Rochelle Park. This matter has been a nagging problem for Maywood's citizens for too long and calls for immediate settlement.

I'd like to draw your attention to the fact that the resolution addresses contaminants that might be underground as well as those found in the pile.

My office remains ready to do everything possible to assist you to reach a satisfactory conclusion. I welcome your advice and help.

Sincerely,

Byron Baer

Byron Baer
Senator District 37

117681

CONTANT, SCHERBY & ATKINS
ATTORNEYS AT LAW
33 HUDSON STREET
HACKENSACK, N. J. 07601
(201) 342-1070
TELECOPIER (201) 342-5213

NEW YORK OFFICE
337 NORTH MAIN STREET, SUITE 11
NEW CITY, N.Y. 10956
(914) 638-4925
FENSTER & WEISS, ESQS.
OF COUNSEL

JOHN M. CONTANT (1931-1988)
RICHARD JON CONTANT*
MICHAEL L. SCHERBY**
BRUCE L. ATKINS**
DANIEL R. GREENSTEIN*
MATTHEW S. ROGERS
ANDREW T. FEDE
BRIAN T. KEANE*

JULIE K. GRAPIN*
STEVEN D. GROSSMAN*
GERALDINE E. BEERS*
WILLIAM J. BAILEY
S.Y. KIM*
*ALSO MEMBER OF NY BAR
*ALSO MEMBER OF FLA BAR
PLEASE RESPOND TO:
HACKENSACK

BOROUGH CLERK
5
M. Nolan

April 13, 1994

William J. Muszynski, P.E.
Acting Regional Administrator
United States Environmental Protection Agency
Region II
Jacob K. Javits Federal Building
New York, NY 10278-0012

Re: EPA Region 2's Position on the Dispute Regarding Cleanup
Levels for Radionuclide Contamination at the Maywood
Chemical Company Superfund Site, Maywood, NJ

Dear Mr. Muszynski:

Please be advised that I am the attorney for the Borough of Maywood. The Mayor and Council of the Borough have received a copy of your March 23, 1994 letter to Joe La Grone in regard to the above-referenced matter. Although a more detailed statement is forthcoming, the Mayor and Council authorized me to immediately write to you to indicate their objection to the proposed clean-up plan referred to in your letter.

The Mayor and Council strongly object to the use of the 15 pCi/g standard. The Mayor and Council were under the impression that the EPA was enforcing a 5 pCi/g standard. The 15 pCi/g standard is not a health-based standard according to the information provided to us and is therefore unacceptable as a remediation level in the affected area.

Accordingly, the Mayor and Council of the Borough of Maywood urge you to stop any proceedings advancing the clean-up levels reached in your letter, and this demand is also being made to the Department of Energy, as a copy of this letter is being sent to Mr. La Grone. The Mayor and Council had hoped that the EPA would not waiver from the 5 pCi/g standard despite the position taken by the Department of Energy. They insist that you reconsider your proposal to agree with the Department of Energy's clean-up standard.

(3.)

William J. Muszynski, P.E.

Re: EPA Region 2's Position on the Dispute Regarding Cleanup
Levels for Radionuclide Contamination at the Maywood
Chemical Company Superfund Site, Maywood, NJ

April 13, 1994

Page 2

In addition, the Mayor and Council insist on the immediate removal of all of the contaminated soil from the Maywood Interim Storage Site and other affected properties in the vicinity. The Mayor and Council oppose any soil washing program on the site because of the obvious effects this will have on the health of residents in the area as well as people working for businesses surrounding the site. The Mayor and Council have not seen any evidence indicating that soil washing is an effective remediation measure that will reduce the level of contamination to the 5 pCi/g standard. Again, the Mayor and Council ask you to immediately rethink your position in regard to soil washing on this site. Instead, all contaminated soil should be removed from the site and either stored or treated elsewhere, far away from populated areas.

Thank you for your consideration, and if you have any questions, please do not hesitate to contact me.

Very truly yours,

ANDREW T. FEDE

ATF:RG

cc: Joe La Grone
Mayor and Council ✓

CLERK
 MARY ANNE RAMPOLLA, RMC
 (201) 845-2900
 FAX (201) 909-0673



BOROUGH OF MAYWOOD
 459 Maywood Avenue, Maywood, NJ 07607

MAYOR
 JOHN A. STEUERT, JR.

COUNCIL PRESIDENT
 ANTHONY NAPOLI

COUNCIL MEMBERS—
 JOAN T. WINNIE
 THOMAS M. BERNTSON
 RICHARD P. O'NEIL
 MICHAEL J. RUBER
 ANNE SALVATORE SCHMIDT

RESOLUTION #136-93
ENDORISING CLEAN UP STANDARD FOR THORIUM
CONTAMINATED SOIL

WHEREAS, the Mayor and Council of the Borough of Maywood continue to be concerned about the need for adequate clean up criteria for thorium contaminated property in the Borough of Maywood; and

WHEREAS, the Mayor and Council have learned that the Environmental Protection Agency (E.P.A.) and the New Jersey Department of Environmental Protection and Energy (N.J.D.E.P.E.) have advanced clean up criteria of five picocuries per gram, a health based standard, as the recommended level for the clean up of thorium contaminated soil for unrestricted use at the Maywood site;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Maywood that:

1. The five picocuries per gram clean up criteria is endorsed by the Mayor and Council and the U.S. Department of Energy (D.O.E.) is urged to resolve the dispute resolution with E.P.A. by accepting and including the five picocuries per gram standard in the D.O.E. proposed clean up plan for the Maywood site;
2. The Bergen County Board of Health and the Maywood Board of Health are urged to also support this clean up standard;
3. A copy of this resolution be sent to the Secretary of the D.O.E., the N.J.D.E.P.E. Commissioner, the Administrator of E.P.A., County Executive William P. Schuber, the N.J. State Legislators for the 37th District, Congressman Torricelli and U.S. Senators Bill Bradley and Frank Lautenberg; and

RESOLUTION #136-93

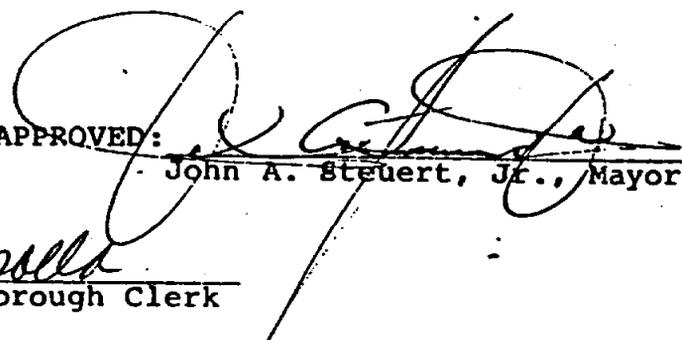
PAGE 2

BE IT FURTHER RESOLVED that with the health based standard, the D.O.E. proposed plan should also reflect the affirmative Maywood Referendum message - "To secure clean up and removal of the thorium contaminated soil within the Borough of Maywood and to prevent the further storage within the Borough of Maywood of any additional thorium contaminated soil from outside the Borough of Maywood; and

BE IT FURTHER RESOLVED that a copy of the within resolution be on file in the Office of the Borough Clerk and be available for public inspection during regular business hours.

Date: Oct. 26, 1993

APPROVED:



John A. Steuert, Jr., Mayor

ATTEST:

Mary Anne Rampolla
Mary Anne Rampolla, Borough Clerk

	Moved	Second	Ayes	Nays	Abstain	Adjourn
Mayor <u>Steuert</u>						
Councilperson <u>Wassili</u>					✓	
Councilperson <u>Winnic</u>	✓		✓			
Councilperson <u>Ruber</u>			✓			
Councilperson <u>Bernstein</u>		✓	✓			
Councilperson <u>O'Neil</u>			✓			
Councilperson <u>Schmitt</u>			✓			

Comments of NJ DEPE
 KARE Delaney Director, DIV. R.P.S.R.

33.04 (p. 40) [schedule for the ground water operable unit be available? With regard to the NISS and Wayne Incuria Storage Site (WISS), Volume I states that, "Local political resistance has stopped plans for interim remedial action activities at selected residential and commercial properties in New Jersey and Missouri." Are the interim actions deemed time critical, i.e., do unacceptable health risks exist? When will other disposal alternative investigations be completed?]

33.05 (p. 45) []

3. Volume I of the subject plan refers to state involvement in the decision making process for key issues as listed below. Such issues include:

33.06 (p. 46) [a) Questions have been raised concerning regional storage of Radioactive Wastes as prescribed in the ROD for Programmatic Environmental Impact Statement (PEIS) to be issued in federal fiscal year 1993. The PEIS will outline or determine USDOR national strategies that impact states and include: siting of facilities, transport of waste materials, land/water/energy impacts, etc. The PEIS is designed to ensure USDOR compliance with the National Environmental Policy Act (NEPA). Once in effect it may dictate site specific changes at the state level. Clearly the issue becomes, does non-inclusion of the NJDEPE in the FFA for FUSRAP sites in New Jersey eliminate official state input into the PEIS? If NJDEPE concerns are not addressed on an official level as opposed to an observational or informal commentator basis, the question arises how will this PEIS impact New Jersey?]

33.07 (p. 15) [b) It appears that DOE views state involvement as tantamount to public involvement, i.e. without a control document in place, the state is an interested party. Lack of formal NJDEPE input into the FFA has resulted in limited Departmental control at FUSRAP sites. This includes schedules for on-site activity as prescribed by the FFA. Additionally, and with regard to USDOR internal budget reviews, Volume I states that the USDOR justifies budget increases in part by gauging compliance with laws, regulations and enforceable agreements with EPA and state regulators. [Is USDOR funding of remediation at New Jersey FUSRAP sites of a lesser priority due to New Jersey's non-inclusion in the FFA?]]

33.08 (p. 22) [c) With regard to land use planning, Volume I states that the USDOR is seeking input from interested parties, including states. "The USDOR in collaboration with tribes, federal, state and local agencies is attempting to develop and implement clear clean-up and land-use objectives to achieve cost effective protection of public health and the environment." [The broad category of land use planning includes such issues as use options based upon; "How clean is clean?" What level of clean-up is acceptable and for what future use? What are the health based standards used in such determinations? NJDEPE uses criteria based on a maximum of one in one million (10⁻⁶) excess cancer occurrences within an]]

CO/ORDO
 DECISION
 STATE
 SHOULD
 BE
 INVOLVED

LETTER 33

ONE IN
 A
 Million

33.08 [exposed population. This is a minimum standard which is applied to all remedial activities conducted within New Jersey.]

33.09 (p. 15) [4. The plan specifies that it is the intention of the USDOR to complete its environmental remedial activities by 2019; however, the Middletown Sampling Plant and the New Brunswick sites are not indicated as being included on the "SPL" and that there is currently no FFA in effect for these two sites. Without any specific "clean-up agreements" for these sites with the NJDEPE and/or the USEPA, it appears that no real time remedial activities are proposed for these sites. Is funding for USDOR sites contingent upon inclusion on the SPL?]

33.10 (p. 47) [5. The five year plan stresses problems associated with ongoing production of low level radioactive wastes but does not address mined wastes already deposited under FUSRAP jurisdiction. In addition, the plan fails to identify in detail off-site disposal options for low level and mined radioactive wastes or the potential use of expanded USDOR storage facilities that are planned or in construction.]

33.11 (p. 31) []

The following comments refer specifically to Volume II of the Five Year Plan and the summaries of activity at the NISS and WISS sites:

33.12 (p. 47) [1. Although chemical characterization was supposedly completed at the Middletown Sampling Plant, the results of these investigations have not been provided to the NJDEPE for review. When will they be?]

33.13 (p. 47) [2. Volume II states that environmental monitoring activities have been instituted at the New Brunswick site. Results of these activities have not been made available to the NJDEPE. When will they be?]

33.14 (p. 46) [3. The engineering evaluation and cost evaluations are scheduled to be completed and approved for the Middletown and New Brunswick sites in federal fiscal years 1995 and 1996 respectively. As neither of the sites are currently included in an FFA with the USEPA and/or under any other control document with the NJDEPE, what assurance does the Department have that USDOR is committed to remediating these sites?]

33.15 (p. 14) [Another issue that NJDEPE would like addressed was brought to USDOR's attention in September 1992, at the FUSRAP meeting in Oak Ridge National Lab where discussions were focused on issues surrounding remedial options at FUSRAP sites. At that meeting, NJDEPE requested that the USDOR provide justification for the disparate pricing formula the DOE uses at its Hanford low level waste disposal facility. This facility charges approximately 20 times the cost per unit volume than that of private commercial facilities charge their customers. It seems that this pricing is unjustified and serves only to reduce the disposal options at FUSRAP sites and prolong the site remediation process.]

LETTER 33

11768

JUNE 4, 1994

Friend of the People It Serves

N.J. balks at thorium cleanup

By MICHAEL MOORE
Staff Writer

The state Department of Environmental Protection and Energy is refusing to approve the federal government's plan to remove thorium-tainted soil spread throughout Maywood and Wayne, a move that could further delay a cleanup first promised more than a decade ago.

Calling the federal Department of Energy's cleanup plan for 510,000 cubic yards of radioactive soil "dangerous to the public," the DEPE is withholding its needed approval until the federal agency agrees to meet stricter standards.

"We don't believe the DOE's cleanup plan either complies with state law or affords an acceptable

Asks U.S. to meet tighter standards

level of protection to the public," said Nick Martone, DEPE manager for the Maywood and Wayne sites. "We're not going to go along with this and give residents a false sense of security."

Trumpeted as one of the final obstacles to solving the radioactive soil woes of North Jersey, the DOE's long-anticipated cleanup proposal, hammered out with the federal Environmental Protection Agency, calls for contaminated dirt to be cleaned to a level of 5 picocuries of radiation per gram of soil in residential areas and 15 pi-

cocuries per gram in commercial districts.

But DEPE officials believe 15 picocuries is too high and want the 5 picocurie standard applied to both residential and commercial properties. Martone said cleanup cannot legally begin without DEPE approval.

A picocurie is a unit of radioactivity. Thorium is a radioactive element that breaks down into radon, a gas proven to cause lung cancer and other ailments.

Area officials support the DEPE's demand for a uniform 5 picocurie standard.

Wayne Mayor David Waks, who has been writing to the DEPE to push for stricter standards, ap-

See THORIUM Page A-8

THORIUM: State balks at U.S. proposal

From Page A-1

plauded the agency's decision. "I hail the DEPE," he said. "They are starting to see the light of day."

"At least the DEPE has taken a tough, protective stance. The federal agencies should get in line with the state's directive so we can clean this up quickly and safely," said Bergen County Executive William "Pat" Schuber. "I will be pressing Governor Whitman to intervene and push the federal agencies to adopt the standards of the DEPE."

Whitman spokesman Carl Golden said the governor is aware of

North Jersey's thorium dilemma and is willing to intervene.

"The governor knows residents have a good cause for concern," he said. "This has to be cleaned up and, after consulting with DEPE commissioner [Robert Shinn], she will get things moving with the federal agencies."

But the DOE said New Jersey's apparent refusal to approve the plan could further delay the cleanup, first proposed in 1983.

"I don't know what will happen next and I'm not sure what the DOE or EPA's position is now," said Susan Cange, DOE site manager for Maywood and Wayne.

"It's too early to say what we'll do. We're still waiting to get the state's position in writing."

The EPA, which originally supported a uniform 5 picocurie cleanup standard but later backed off after grappling with the DOE for a year, said the federal agencies may have to reconsider their positions.

"It's understandable why the state has misgivings," said Jeff Gratz, EPA site manager in Maywood and Wayne. "Our assumption of 15 picocuries being protective may have to be reevaluated. We may have to look at a lower criteria."

The thorium is a byproduct of the manufacture of gas lanterns at the old Maywood Chemical Work between 1916 and 1956, and at the former W. R. Grace & Co. plant in Wayne between 1948 and 1971.

Officials fear that the process of developing new standards, coupled with the possibility of disagreement negotiating a compromise could further delay the cleanup of the soil, just as the DOE and EPA squabble delayed the existing plan for 13 months.

"I hope this doesn't turn out like it did a year ago between DOE and EPA," Cange said. "But I can't say for sure that it won't."

From :

MAR 10 1994 10:55 AM F01



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

JACOB K. JAVITS FEDERAL BUILDING
NEW YORK, NEW YORK 10278-0012

MAR 14 1994

Ms. Sue Portanova
17 Lucas Lane
Wayne, NJ 07470

Dear Ms. Portanova:

This letter is in response to your correspondence of March 9, 1994 regarding the soil washing treatment technology and its applicability at the Wayne Interim Storage Site. Specifically, you asked why soil washing did not work at the Montclair/Glen Ridge sites and why I believe it might work at the Wayne site.

The most significant factor in determining whether this technology can or cannot work at a given site is the efficiency of the system in separating soil with high concentrations of radionuclides (the contaminated residual) from soil with lower concentrations (the resulting clean stream). For the Montclair site, the treatment unit could not effectively and efficiently meet the remedial action objectives. At least for the pile at the Wayne site, the concentrations of contaminants are relatively low (average: 9.6 pCi/g for uranium-238, 1.8 pCi/g for radium-226, and 16.1 pCi/g for thorium-232) such that a high degree of efficiency is not required to meet cleanup objectives.

I am less optimistic about the viability of the soil separation technology for the material in the burial pits beneath the pile where levels of contaminants are several orders of magnitude higher than those in the pile. However, I believe we should give the Department of Energy (DOE) the opportunity to test the technology. At the meeting at Congressman Klein's office on March 4, 1994, which you referred to in your letter, the Undersecretary for the Environment for DOE, Thomas Grumbly, stated that if treatment turned out not to be viable, all contaminated material that could not be treated would be removed from the site. We intend to oversee this treatment and removal operation to ensure that it is protective and that it proceeds in a timely manner.

Thank you for your concern. If you have any further questions on this issue, please call me at (212) 264-6667.

Sincerely,

Jeffrey Gratz
Jeffrey Gratz, Project Manager
Federal Facilities Section

(7)

plausible explanation of the error. Given the potential impact of this technology on Wayne, we are concerned regarding the lack of flaw-free tests.

THE MONTCLAIR SOILS

The processes just described can be carried out on small quantities of material in a laboratory relatively inexpensively. However, there are major uncertainties regarding what will happen when a machine capable of processing several tons per hour is constructed. In this section we will examine how laboratory and pilot-plant processes compared for the only case where they have been applied to soil from the same site.

The Laboratory Test

Soil from Montclair was tested by the EPA¹ to help determine the feasibility of soil separation. When received, the soil had a measured radium-226 activity of 54 pCi/g, with an error of plus or minus 10 pCi/g. The EPA then tested the material to gauge the applicability of soil separation; their results are shown in the first three columns of the seven column Table 1.

The first column gives the sieve size, where a higher mesh number indicates that only smaller particles can pass through.² The second column shows what fraction of the material (by weight or mass) would not pass through that sieve, but would pass through the one above. For example, 11.1% of the material was too large to pass through the coarse sieve, #4. 5.6% would pass through the #4, but not through the #16 sieve. In the end, 32.5% of the input material was fine enough to pass through the #400 sieve.

The third column shows the results of radiological measurements. After the soil was separated according to size, as just described, each fraction was measured for Ra-226 activity, and the results are shown on each line. For example, 13.9% of the material would pass through the #50 mesh, but not through the #100, and after being dried, it had a Ra-226 activity of 15 pCi/g.

If the activity of the whole sample is calculated by multiplying each activity by its weight fraction and summing over all the fractions, the result is 71.6 pCi/g. This should be the same as the 54 pCi/g we started with (According to the EPA, there was no measurable activity in the water.); the difference indicates the limits on the accuracy of the measurement process. This indicates that the activities of all of the streams could be off by several picocuries per gram, and shows the need for additional testing.

(8)

Still using this example of the data from the test done on Montclair soils, we now have eight streams of different size material. However, what's really wanted is two streams - a "clean" stream and a "dirty" stream. The different possibilities are gotten by deciding where to "cut" the eight streams, that is, deciding on a size where all the larger material will go in the "clean" stream and all the smaller material in the "dirty" stream. The results of the different possible cuts, calculated from the data in columns two and three, are shown in columns four through seven and in Figure 1.

For example, if we put only the material which did not pass through the #4 mesh in the "clean" stream, it will constitute 11% of the input material and will have an activity of 12 pCi/g. The dirty stream will have the other 89%, and will have an activity of 79 pCi/g. If, however, we put all the material that failed to pass through the #16 mesh in the clean stream, and all the material that did in the dirty stream, we get a clean stream consisting of 17% of the material with a specific activity of 15 pCi/g and a dirty stream containing 83% of the material, with an activity of 83 pCi/g. As we add more and more material to the clean stream, it at first stays steady at 15 pCi/g, then when quite fine material is added, it begins to have higher activity levels. Of course, if we put all the material in the so called "clean" stream, it contains the total activity of the material, 72 pCi/g, and all of the material.

The characteristics of the "clean" stream for these laboratory results are graphed in Figure 1, where the fraction of the soil put into the clean stream is plotted horizontally, and the corresponding Ra-226 activity is plotted vertically. In general, the more material is put into the "clean" stream, the dirtier it gets, but there is a substantial plateau where this effect is so small it is negligible, for this sample. For this soil, the clean stream is no dirtier if it comprises 50% of the material than if it comprises only, say, 20%.

It should be noted that the "cleanest" soil produced in the test on Montclair soils was 12 pCi/g and this level is uncertain by several picocuries per gram. This is significantly above the level of contamination that RWMA feels should fall under the definition of "clean" and significantly above the levels of contamination that should be retained on site, as discussed in Section 1 and Appendix B.. In this test, the characteristics of the "clean" stream are in fact that of a "dirty" stream.

The Field Test

(8)

The results of Table 5 are plotted in Figure 3. This figure assumes that the lab tests are a reasonably accurate predictor of how a full-sized plant would operate. If this assumption is correct, then, soil separation of up to 53% of the WISS pile could result in a coarse stream with material below the 5 pCi/g limit.

However, as indicated in our previous discussion, it probably is not safe to assume that the pilot plant will operate in a manner that is comparable to the lab tests. The pilot plant has not been run for long enough to predict with certainty how it, or a larger system, will operate. The procedures and results of further tests must be examined closely and evaluated carefully.

Also, Figure 3 also indicates that up to perhaps 75% of the material could be kept on site if a 15 pCi/g criterion were used. DOE has already given an indication that the agency's preference is to move to the 15 pCi/g criterion with the decision to classify the WISS site as commercial and its stated intention to make only a "best effort" to achieve the 5 pCi/g standard. At this juncture, it is likely that DOE will go for the 15 pCi/g standard, arguing cost minimization and savings to taxpayers.

¹ W. S. Richardson, T.B.Hudson, J.G.Wood and C.R.Phillips, "Characterization and Washing Studies on Radionuclide Contaminated Soils", Auburn U/S.Cohen Assoc./US EPA-Montgomery, in Contaminated Soil Treatment, Pub??, date??.

² For example, a #4 mesh will pass particles up to 4.75 mm, 0.19 inches in diameter, while a #200 mesh will only pass particles of 0.075 mm, or 3/1000 inches diameter or smaller.

³ W. Dolezal and P. Pierce, "Preliminary Conceptual Design of a Unit to Demonstrate the Field Treatability of Contaminated Soils in Montclair and Glen Ridge, NJ", S. Cohen & Associates, McLean VA for the US EPA Office of Radiation Programs, Dec. 1988.

⁴ M.C.Eagle, W.S.Richardson, S.S.Hay and C. Cox. "Soil Washing for Volume Reduction of Radioactively Contaminated Soils", Remediation, Summer, p. 327 and accompanying "Preliminary Report on the VORCE Pilot Plant Phase II Test."

⁵ "Preliminary Characterization and Bench Scale Testing of Soil Samples from W.R.Grace and Company (Wayne Plant) and Maywood Chemical Company Sites", S. Cohen and Assoc., McLean VA, for the US EPA, Office of Radiation Programs, May 1991.

⁶ "Characterization Report for the Interim Storage Pile at the Wayne Interim Storage Site", Beehtel National, Inc., Oak Ridge TN, for the US DOE, DOE/OR/1949-298, Sept. 1991; this report contains errors in its averaging procedures which must be corrected to make this claim apparent.



11768

COUNTY OF BERGEN

Administration Building • Court Plaza South • 21 Main St. • Room 300E • Hackensack, N.J. 07601-7000
(201) 646-3630

William P. Schuber
County Executive

November 19, 1993

Mayor John Steuert and Council
Borough of Maywood
459 Maywood Avenue
Maywood, NJ 07607

Re: M.I.S.S.- Thorium Contaminated Soil
DOE & EPA Cleanup Standard Dispute

Dear Mayor ~~and Council~~:

The purpose of this letter is to discuss with you my views with respect to the ongoing "informal dispute" between the two federal agencies involved in determining the cleanup standards at the M.I.S.S. and the vicinity properties.

As I continue to await for the resolution of this informal dispute, I remain committed to a cleanup standard which is in the best interest of all residents affected by the thorium contamination. I recognize the fact that this new cleanup criteria is recommended by the New Jersey Department of Environmental Protection and Energy. The U.S EPA indicates that the appropriate soil concentration cleanup criteria should be the 5 picocuries (5 pCi/g) standard. In light of these recommendations, I support the use of the 5 pCi/g standard at the M.I.S.S. and vicinity properties.

I would be remiss, however, if I did not reiterate my continued concerns associated with this new cleanup criteria. There has been no indication from either federal agency as to how this new standard will affect the overall scope of work. Will the DOE revisit cleaned sites, expand the timetable for cleanup and removal, and request an unconscionable amount of funding to complete the project which may cause further delays?

I recognize that the tougher cleanup standard would be a welcomed decision in the communities due to the simple notion that current and future residents will have

(9)

November 29, 1993

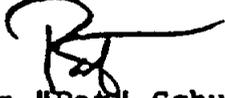
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~~a sense of security knowing that an austere cleanup plan was instituted at these sites. However we must keep an eye on how this decision affects the ultimate removal plan and timetable.~~

As always, please continue to communicate with me on this important issue or any other issue of interest to you.

Thank you.

Sincerely,



William "Pat" Schuber
Bergen County Executive

WPS/as

cc: Mark A. Guarino, B/C Health Services
Michael Nolan, Concerned Citizens
Chuck Parodi, Concerned Citizens

ROBERT G. TORRICELLI
9TH DISTRICT, NEW JERSEY

COMMITTEES
FOREIGN AFFAIRS
CHAIRMAN, SUBCOMMITTEE ON WESTERN
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WASHINGTON, DC 20515-3009
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DISTRICT OFFICES
COURT PLAZA
25 MAIN STREET
HACKENSACK, NJ 07601
201-846-1111
14A PATH PLAZA
JERSEY CITY, NJ 07306
201-222-8100

Congress of the United States
House of Representatives
Washington, DC 20515-3009

November 22, 1993

117688

Dear Friend:

I'm pleased to inform you that the Nuclear Regulatory Commission (NRC) recently made a decision that will be of enormous benefit to our efforts to remove thorium waste from Maywood. The NRC has granted a license to Envirocare of Utah to permanently store thorium waste. This license makes Envirocare the first facility in the nation to be licensed to store such waste, and means that a repository for the Maywood waste has now been identified.

As you know, the United States Department of Energy has been working with the U.S. Environmental Protection Agency to draft a final cleanup plan for the Maywood cleanup. The plan is certain to call for the shipment of most of the Maywood soil to a commercially licensed site out of state.

In the meantime, I have been working to ensure that once a final plan is approved, there is a site under contract with the Department of Energy that can legally accept and safely store the thorium waste. The NRC approval removes the final roadblock to the granting of such a contract to Envirocare. I am confident that once a final cleanup plan is approved, there will be no delay in sending Maywood's thorium to Utah.

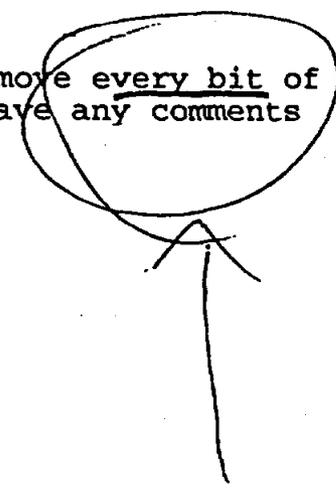
The citizens of Maywood should be commended for their patience during the arduous effort to remove deadly toxins from our neighborhood. While we all regret the delays, it is important that the job be done right. The careful environmental planning and evaluation that has been performed will lead to a better cleanup that will guarantee safe transportation and disposal and efficient use of Federal dollars.

Please be assured that I will continue to work to remove every bit of thorium waste from Maywood as soon as possible. If you have any comments or questions, please feel free to write or call.

Sincerely,

ROBERT G. TORRICELLI
Member of Congress

RGT:reh



(10)



RADIOACTIVE WASTE MANAGEMENT ASSOCIATES

May 18, 1994

Robert C. Shinn, Jr., Commissioner
Department of Environmental Protection and Energy
Trenton, NJ 08625-0028

Re: Cleanup Levels for Radionuclide Contamination
Maywood Interim Storage Site

Dear Commissioner Shinn:

Mike Nolan of Concerned Citizens of Maywood, for whom we are working under an EPA Technical Assistance grant, asked me to respond to a letter from Ronald Corcory, in response to a letter Mr. Nolan sent to you. Concerned Citizens and we are troubled by the proposed remediation standards and fear that New Jersey DEP may be relaxing its protectiveness criteria.

As you probably know, as we learn more about the thorium hazard and the risk of radiation, these standards have gotten more restrictive over time. The thorium wastes at Maywood were produced between 1916 and 1956 and will remain radioactive and hazardous essentially forever. Between that time, the atomic bomb blast occurred and continuing information from the victims has taught us much about the harmful effects of radiation. For low-level waste facilities, the performance standard is 25 millirems per year (mr/y) whole body dose commitment. But the Department of Energy is arguing instead that the limit 100 mr/y is appropriate, a limit that applies to operating nuclear reactors. Since all agree that these thorium wastes are hazardous, it is difficult to explain the appropriateness of a whole body dose of 25 mr/y to a community facing a proposed low-level waste facility and 100 mr/y to citizens around a thorium waste facility. One reason for this lower limit around low-level waste facilities is that this waste is quite long-lived and many generations could be potentially exposed; this is certainly also true for thorium waste. While it is true, as Mr. Corcory argues, that natural radiation exists at risk levels of 10^6 in the State and can vary greatly, the thorium wastes are in addition to the natural background that exists in the impacted communities. All risk assessment studies subtract out background.

The implications of the above for thorium wastes can be seen by examining the hazard posed by these materials. The radioactive hazard of thorium residues arises primarily from direct γ exposures and inhalation of radioactive radon gas from contaminated soil and secondarily from ingestion of radioactive dirt (a more serious problem for children than adults) and ingestion of contaminated ground or surface water.

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For a residence 5 pCi/g in soil corresponds to a direct γ exposure from radium-228 and its radioactive decay products of 67 to 81 millirems per year (mr/y), depending on the contamination depth, as shown in the attached Table. This should be contrasted with the DOE exposure limit from operating nuclear facilities of 100 mr/y. Clearly concentrations of radium-228 of 15 pCi/g would be over the limit for a residence. Perhaps all parties, the State and federal government are in agreement on this point, though meeting the 25 mr/y figure would require radium concentrations of about 2 pCi/g. The problem is that the thorium waste material at the 15 cm or 6 inch depth can be brought to the surface in the future. As community zoning changes, the time a person spends at these contaminated properties can change as well and the risk correspondingly increase.

Radon presents an additional risk. At 5 pCi/g, "an estimated 4 picocuries per liter (pCi/l) of radon would be added to the lowest indoor level of a residential structure. Such a concentration would translate to an approximate lung cancer risk of 2×10^{-7} ." This additional risk is considerably greater than the risk levels commonly employed by the EPA, one part in a million.

To these risks must also be added the ingestion risk, particularly for children. Assuming a child ingested 1 g soil/day of soil containing thorium-232 and its decay products in secular equilibrium at 5 pCi/g, the additional radiation dose received is 9.1 mr/y, as also seen in the Table. An ingestion dose of 1 g per day was assumed by EPA contractors at Montclair.

We see important reasons for the State to maintain the risk level, one part in a million, and to further restrict the allowable thorium levels on remediated properties.

cc: M Nolan

Best,



Marvin Resnikoff

Radium-228 Hazard*

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	Direct Gamma Dose			
	5 pCi/g		15 pCi/g	
	15cm	Infinite	15cm	Infinite
Ac-228	25.78	29.89	77.34	89.66
Ra-224	0.24	0.26	0.73	0.77
Pb-212	3.38	3.52	10.14	10.56
Bi-212	5.01	5.86	15.02	17.57
Tl-208	32.55	41.36	97.64	124.07
Total	66.96	80.88	200.88	242.64

* In mry assuming 8760 hr residence. If commercial, must assume 40 hr/wk*50 wk/y = 2000 hr exposure.

Radium-226 Hazard*

	Direct Gamma Dose			
	5 pCi/g		15 pCi/g	
	15cm	Infinite	15cm	Infinite
Ra-226	0.15	0.16	0.46	0.48
Pb-214	6.26	6.71	18.77	20.12
Bi-214	40.72	49.04	122.17	147.11
Pb-210	0.01	0.01	0.04	0.04
Bi-210	0.02	0.02	0.05	0.05
Total	47.16	55.93	141.49	167.79

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Is soil separation an experimental technique?

Yes, soil separation at radioactive sites is a new, virtually untested, technology. Soil separation has been extensively used in mining operations with non-radioactive materials. However, the technology is in its infancy as far as its application to radioactively contaminated soils. There have been a number of laboratory tests of the technique, but only one field test. The field test was conducted by the EPA on a pilot plant constructed in Alabama and tested using contaminated soils from Montclair, NJ. The test was on a small amount of soil -- 3000 lbs.--in a test that lasted for several hours. Many times this amount of material needs to be tested to determine the efficacy of soil separation. Both the lab tests and the one field test had significant, largely unexplained anomalies in the test measurements, which make it difficult to draw hard conclusions from the data. These and other problems with both the laboratory tests and the field tests are discussed in Section 4.

How does the DOE currently define clean?

The DOE and the EPA have recently agreed on separate standards for residential and commercial sites in Maywood, another radioactively contaminated site in NJ. Residential areas are to be "cleaned" to 5 picocuries per gram (pCi/g) of Ra-226 and Ra-228 to any depth. Commercial/industrial areas are to be "cleaned" to 5 pCi/g for the top six inches and to 15 pCi/g below that. Where removal of the contaminated material leaves a hole, replacement soil in commercial/industrial areas can be 15 pCi/g at depth, but the top one foot must be "clean" soil.

This decision has only been made for Maywood, but it is likely that the DOE and the EPA--two federal agencies-- will attempt to ignore the current township of Wayne zoning and treat the WISS site as commercial, since the same people will make the decision and since it is for the advantage of the DOE to have in place a classification that allows a lower level of "clean"-up.. The DOE considers most remaining sites to be commercial/industrial.

The WISS site has been zoned residential by the township of Wayne since 1939. Although Rare Metals operated at the site, the surrounding area is clearly residential with homes within 50 feet of the site. The DOE proposed standard would apply whether soil separation is used or not. Questions residents and the town governments must address include whether it is suitable to treat sites which are now embedded in residential areas as commercial and is it proper for federal agencies to override township zoning laws.

In the agreement pertaining to Maywood, the DOE has stated they are bound to "clean" only to a level of 15 pCi/g, but that they will make a "best effort" to exceed this

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and approach or exceed the 5 pCi/g limit where possible. This agreement leaves considerable uncertainty with the DOE having the option to "clean" only to the level of 15 pCi/g, when the "best effort" proves too costly. Having 15 pCi/g material remain at the site means the use of the sites will be subject to restrictions, essentially forever, and is likely to result in decreased values for adjoining properties.

What are the arguments in favor of a 5 pCi/g or less standard?

The combined radioactive concentrations of radium-226 and radium-228 in soil should be substantially less than 5 pCi/g for residences. This is a health-based requirement. The hazard of these materials arises, primarily, from direct gamma exposures and from inhalation of radioactive radon gas from contaminated soil. Secondly, there is a hazard from ingestion of radioactive dirt (clearly, a more serious problem with children than adults) and from ingestion of contaminated ground or surface water.

At 5 pCi/g, the direct gamma exposures from radium-228 and its decay products is 67 to 81 millirems per year, depending on the depth of the contaminants. This exposure is higher than the exposure limit set by the EPA for a low-level radioactive waste facility which is 25 millirems per year. (It should be noted that an operating nuclear facility has an exposure limit of 100 millirems per year.) It is inequitable that citizens at Wayne would be asked to accept a limit less stringent than citizens surrounding a low-level waste dump.

If the more restrictive EPA limit is used, then the allowable radium-228 concentrations would have to be less than 2 pCi/g. Clearly, the possible DOE limit of 15 pCi/g would be completely unacceptable.

A more detailed discussion of this issue is found in Appendix B.

Can soil separation provide material that will meet even DOE's standards?

Will soil separation provide coarse material that will meet either the 5 pCi/g or the 15 pCi/g standard? The DOE doesn't know yet.

As mentioned above, a small "pilot plant" machine was tested in Alabama, using soil from Montclair that was contaminated at the level 40 pCi/g. This test produced coarse ("clean") material at 12.1 pCi/g. Since Montclair was to be "cleaned" to residential standards, that was not acceptable and soil separation was not tested further.

Material from the pile at the Wayne site and from Maywood is somewhat less contaminated, and DOE has laboratory tests that indicate that the coarse material could have contamination levels that would meet their standards and could be dumped back into holes on the WISS site. However, as will be discussed more fully below, there have

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we do not assume a future resident builds a basement because a basement on the WISS would have major water problems. A basement would also collect radon gas and would have to be ventilated. The process of building a basement would mean excavation of buried waste materials which would greatly increase the potential dose to a resident. For our calculations we assume conservatively that a person spends 8 hours outside the house and 16 hours per day inside. One could assume the outdoor time is reduced, but the calculated doses are in any case so high, it makes little difference to the bottom line conclusion, that the doses are too high for future occupancy unless the waste materials buried underground are removed.

Radiation Dose Rates from Waste Pits

Radioactive concentrations reported in the Remedial Investigation report are unreliable. Because of the presence of the pile, DOE contractors were forced to drill slantwise under the pile to locate the underground pits. These boreholes were intended to confirm the locations of certain burial pits. Sufficient measurements were not made for a radiological survey. The radioactive concentrations are much less than measured by the Nuclear Regulatory Commission⁴ in 1983. Records of buried materials were destroyed in a mysterious fire at the site in 1977. Nevertheless, the process to extract thorium from monazite sands is known and was employed at Stepan Chemical, Maywood, New Jersey, for many years. The thorium-232 levels in the slurry pile at Maywood average 703 pCi/g, compared to DOE's assumed 567 pCi/g at Wayne. The bottom line here is that the average direct gamma and radon exposures could be greater by 25% or more than calculated by DOE under the assumed concentration 567 pCi/g. If the site reverted to residential use, the direct gamma exposures could be as high as 3059 mr/y, as shown in Table 1. This is approximately 200 times the current exposure rates.

But hot spots in the burial area can range up to 13,000 pCi/g. The maximum theoretically possible thorium-232 concentrations⁵ are 109,000 pCi/g, the specific activity of thorium-232.

In addition to being parallel in origin with the Maywood wastes, some of the Wayne wastes came directly from Stepan Chemical⁶, shipped October 11, 1963. Approximately 15 tons of thorium materials were shipped from Stepan Chemical. The

⁴ *Ibid.*

⁵ US Dept of Health, Education and Welfare, *Radiological Health Handbook*, January 1970.

⁶ Nuclear Regulatory Commission Inspection Report, dated November 2, 1967.

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inventory of materials shipped, and the radioactive concentrations of these materials is shown in Table 2.

Radon Exhalation from Buried Waste

Following direct gamma exposures, radiation doses due to radon are expected to be the second major contributor to radiation exposures to future residents. Calculations for current employees show radon to be a relatively minor contributor because the pile is wrapped in plastic and covers the underground waste materials. The radon cannot escape. Once the pile is removed, radon would be a major contributor. The radon levels would be much higher than the presently measured 0.004 pCi/l outdoors and 1 pCi/l indoors used by the risk assessment.

The radon doses are calculated in Table 3 for future residents. The contribution to the whole body dose commitment is approximately 1436 m^r/y. The total whole body dose commitment due to combined radon inhalation and direct gamma to future residents is 4,496 m^r/y, about 300 times present levels. These doses are far higher than the allowable limit to non-nuclear workers, 100 m^r/y, or the EPA standard for low-level waste facilities, 25 m^r/y.

Additional radiation pathways to humans provide a relatively small contribution and are not calculated here. These pathways include inhalation of radioactive particulates, immersion, water ingestion and dirt ingestion, primarily to children who might play in Sheffield Brook. Sheffield Brook is an intermittent stream, but children can play in the dry stream bed. DOE assumes a low dirt ingestion rate, 50 mg/d. A more realistic value is 1 g/d assumed by the EPA in risk assessment calculations at Montclair, New Jersey. The number of hours per week, and number of weeks per year also appears too low, a total of 7 hours a year. A more realistic estimate is 4 hr/wk, 50 wk/yr, but these calculations based on these higher assumptions were not carried out in this report because the estimated exposures would be low compared to direct gamma and radon contributions.

Risk Factors

To convert radioactive intake to risk, two factors must be employed. One set of factors, dose conversion factors, convert intake of radionuclides to radiation dose. The parameters employed by DOE, embodied in the RESRAD computer model, appear to be the latest values, based on the most current ICRP model.

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**Table 2. Radioactive Materials Shipped from Stepan
Chemical, Maywood to Davidson Chemical, Wayne, October
11, 1963**

Material	Percent ThO	Weight (lb)	Radioactive Concentration (pCi/g)
Unicer	24%	2800	26160
Rare Earth Oxides	12%	1260	13080
Thorium Chloride	45%	155	49050
Thorium Phosphate	12%	3000	13080
Thorium Sulfate	45%	18	49050
Thorium Acetate	55%	4	59950
Thorium Citrate	26%	2	28340
Thorium Hydroxide	80%	2	87200
Thorium Fluoride	69%	1	75210
Thorium Nitrate (crude)	45%	50	49050
Thorium Oxide (crude)	90%	50	98100
Crude Monazite	3%	20000	3270

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

11768

REGION II

JACOB K. JAVITS FEDERAL BUILDING

NEW YORK, NEW YORK 10278-0012

APR 1 1994

Mr. Michael Nolan
Concerned Citizens of Maywood
69 Lenox Ave.
Maywood, New Jersey 07607

Re: Maywood Interim Storage Site

Dear Mr. Nolan:

I am writing in response to your letter of March 9, 1994, in which you expressed concerns over cleanup levels for the Maywood Superfund Site among other issues.

As I stated in my September 7, 1993 letter to you, the Environmental Protection Agency (EPA) will only agree to cleanup levels and a remedial action plan for the Maywood Site that are protective of human health and the environment. I assure you that EPA will not "cave in" to any cleanup plan that compromises our bottom line. Soil washing, if it is to be formally proposed by the Department of Energy (DOE) as part of its cleanup plan, must be shown to meet our cleanup objectives before we will agree to its implementation. After resolution of the cleanup level dispute and finalization of the Record of Decision for the site, we will set up an ambitious, enforceable cleanup schedule with DOE.

With regard to another comment in your letter, I did not state, nor did I imply, in my September 7, 1993 letter to you, that DOE was limited by license to dispose of waste only from sites designated under Title I of the Uranium Mill Tailings Radiation Control Act of 1978 (UMTRCA) at its South Clive "Vitro" facility. That DOE chose to dispose of waste only from UMTRCA sites at the South Clive facility rather than waste from Maywood and Wayne during 1983 through 1988 was a DOE waste management decision; EPA was not part of that decision-making process.

See Attached

If you have any other questions regarding the Maywood site, please call Jeffrey Gratz, EPA project manager, at (212) 264-6667.

Sincerely yours,

George Pavlou, Acting Director
Emergency and Remedial Response Division

cc: N. Marton, NJDEPE
S. Cange, DOE

(14.)

ENVIROCARE OF UTAH, INC.
THE SAFE ALTERNATIVE

11768

July 6, 1993

Andrew Drol
13 Lucas Lane
Wayne, New Jersey 07470

Dear Mr. Drol:

I appreciate your interest in our Radioactive Waste Disposal Facility located at South Clive, Utah. I am writing this letter to describe to you the background and status of licensing our facility to take 11e.(2) materials.

[The South Clive site was originally opened by the State of Utah and the Department of Energy in 1983 to accept and dispose of 11e.(2) materials. During the subsequent five years, 2.5 million cubic yards of 11e.(2) waste was accepted and disposed at the site under the direction of the Department of Energy.]

Near the end of the five-year project, Envirocare purchased the remaining portion of the South Clive property and obtained a license for disposal of radioactive material.

> In 1989, Envirocare asked the Nuclear Regulatory Commission for the authority to dispose of the same type of 11e.(2) material on the same property. Because Envirocare is a corporation and not a government agency, the NRC required Envirocare to go through a licensing process that had not been previously developed or used. Envirocare has been working with the NRC for almost four years to complete this application process. Our most recent correspondence with the NRC has suggested that the licensing should be completed by October 1993. Soon after that date, Envirocare will be able to accept 11e.(2) material for disposal. <

Again I appreciate your interest in our facility. If there is any further information that I can provide, please give me a call at (801) 532-1330.

Sincerely,

Charles A. Judd

Charles A. Judd, P.E.
Executive Vice President

United States Government

Department of Energy

Oak Ridge Operations

memorandum

DATE: January 26, 1994 ✓

BY TO: EW-93:Cange

17688

SUBJECT: DOCUMENTATION OF BI-MONTHLY PROJECT MANAGERS MEETINGS

TO: PDCC File:

Bi-Monthly Project Managers Meetings were held with Jeff Gratz on October 8 and again on December 14, 1993. The following is a list of topics discussed at each of these meetings.

October 8, 1993

- Maywood Dispute
 - EPA will be writing their decision now that Oct. 5 has come and gone.
- Wayne Document Schedule
 - BRA will be delivered November 18
 - FS will be delivered October 29
 - PP will be delivered November 30
- Onsite Activities
 - DOE plans to collect additional samples from Sheffield Brook during EM in response to EPA comments on the FS.

December 14, 1993

- Maywood Dispute
 - Review of next steps after Guimond & Muszyniski meeting !
- Plans for radon testing in Maywood
 - Schedule is to test in Feb.
 - Plan will be sent in Jan.
- Wayne Document Schedule
 - DOE can expect EPA comments on the FS in December and the PP in January.

(15-)