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Formerly Utilized Sites Remedial Action Program (FUSRAP)

ADMINISTRATIVE RECORD

for Maywood, New Jersey



U.S. Department of Energy

125873

RUPP & TENHOEVE
ATTORNEYS AT LAW
9 KANSAS STREET
HACKENSACK, NEW JERSEY 07601

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WILLIAM F. RUPP
JOHN E. TEN HOEVE, JR.

(201) 488-5444
FAX (201) 488-5841

January 24, 1995

Department of Energy
Oak Ridge Operations
P. O. Box 2001
Oak Ridge, TN 37831-8723

Attention: Susan Cange, Site Manager
Former Sites Restoration Division

Re: **Maywood Site - Phase I**
Vicinity Property Remedial Action

Dear Ms. Cange:

I have been directed by the Mayor and Council of the Borough of Maywood to write you to express my client's objection to your proposal to implement the above-referenced remedial action as set forth in your letter dated January 9, 1995 to Mark Guarino, Chairman of the Tri-Boro and County Thorium Coalition.

Your letter proposes that "our current approach calls for the excavated materials to be returned to the DOE-owned Maywood Interim Storage Site (MISS) for consolidation and loading onto rail cars for shipment to the disposal site. Note that the excavated materials will not be placed in interim storage at the MISS, but will be there only for the time needed to accrue and load rail cars; the actual amount of time will depend on the amount of material required to fill a rail car and the availability of the cars, but is not expected to exceed two weeks for any portion of the waste . . ."

The Borough of Maywood respectfully objects to any plan which entails the temporary storage of additional material upon the MISS from outside of the Borough of Maywood. Moreover, your "expectation" that no portion of the waste would be in temporary storage for more than two weeks lacks the necessary guaranties. Expectations of two weeks can easily turn into months in actuality. Furthermore, the Borough of Maywood fears that your proposal will create a semi-permanent storage pile in which contaminated materials are continually added as portions are sporadically removed.

Department of Energy
January 24, 1995
Page - 2 -

The Borough respectfully proposes that any additional material brought to the MISS be loaded directly onto railroad cars. Recognizing the possibility of some unforeseen scheduling difficulties, the Borough of Maywood would be amenable to the temporary storage of a limited quantity of material for not more than 48 hours during the actual loading process, with the understanding that after 48 hours all of the material would be loaded onto the railroad cars.

The Borough of Maywood has been repeatedly assured that no additional material will be stored at the MISS. Given the delay in the removal of the existing storage piles, I trust you can appreciate the Borough's concern relating to any additional "temporary" storage.

The Mayor and Council would be happy to meet with a representative of the Department of Energy to discuss this matter further.

Very truly yours,

RUPP & TEN HOEVE


William F. Rupp
Borough Attorney
Borough of Maywood

WFR/kr

cc: Mr. Mark Guarino
Mayor Locascio, Rochelle Park
Mayor Toronto, Lodi
Mayor Steuert
Congressman Robert J. Torricelli
Senator Frank Lautenberg
Senator Bill Bradley
William P. Schuber, County Executive