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Formerly Utilized Sites Remedial Action Program (FUSRAP)

ADMINISTRATIVE RECORD

for Maywood, New Jersey



U.S. Department of Energy



State of New Jersey

FEB 13 9 23 AM '95

Christine Todd Whitman
Governor

Department of Environmental Protection

Robert C. Shinn, Jr.
Commissioner

Mr. Michael Nolan, Environmental Chairman
Concerned Citizens of Maywood
48 West Grave Avenue
Maywood, New Jersey 07607

FEB 08 1995

Dear Mr. Nolan:

Re: Maywood Thorium Contamination

Please be advised that the Department is in receipt of Marvin Resnikoff's response to Chief Venner's January 17, 1995 correspondence and I have been asked to respond to same. With regard to future potential uses of the Maywood Interim Storage Site, vicinity properties and the Stepan Chemical Company site, N.J.S.A 58:10B et. seq. (commonly referred to as S-1070) requires the establishment of both residential and nonresidential cleanup standards for those New Jersey properties involved in environmental remediation activities. Therefore, consideration of a two tiered remediation is statutorily mandated and restriction of future land redevelopment is addressed by the same statute.

In response to further proposals requiring sampling for Pb-212 I would refer back to the January 17, 1995 letter referenced above. In that letter it was explained that the decay of thoron to Po-216 would play a role in thoron gas migration both in undisturbed soils as well as a covered soil pile. By the analogy presented in Marvin Resnikoff's January 26, 1995 letter, it appears that the soil pile and not "undisturbed soils" may pose a singular Pb-212 health concern. Further, it is implied that the characterization of this different pathway it not adequately accounted for in the United States Department of Energy (USDOE) Baseline Risk Assessment and resultant Feasibility Study. As the state of New Jersey has only endorsed the removal of thorium contaminated soils with offsite disposal, the selection of this(a) remedy, the purpose of a feasibility study is satisfied. Accordingly, additional monitoring appears unwarranted. Furthermore and as you are aware, the Baseline Risk Assessment establishes a need for site remediation, this conclusion is not in doubt. The New Jersey Department of Environmental Protection (NJDEP) continues to insist upon the environmental remediation of this site and this issue is not disputed with neither the United States Environmental Protection Agency nor the USDOE. Consequently, additional monitoring may not add to the specified Baseline Risk Assessment recommendation.

As a separate issue, I have enclosed a copy of my recent letter to Ms. Susan Cange of the USDOE regarding cleanup levels at the USDOE Maywood and Wayne sites. As I described above, the NJDEP is statutorily mandated to formulate both residential and non-residential cleanup criteria with appropriate restrictions placed upon properties remediated to nonresidential levels. In a related matter, your January 12, 1995 facsimile questioned the accuracy of two differing risk assessments for two separate "Superfund" sites adjacent to each other. Specifically, "How can the NJDEP accept one assessment premised upon future

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residential use, the other nonresidential?" I would suggest that the above discussion would clarify the NJDEP's position.

If you have any questions with regard to the above please feel free to call me at (609) 633 - 1455.

Sincerely,



Nicholas L. Marton, MPH
Research Scientist II/Case Manager
Bureau of Federal Case Management

c: Bruce Venner, BFCM
Angela Carpenter, USEPA
Susan Cange, USDOE

attachment

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State of New Jersey

Christine Todd Whitman
Governor

Department of Environmental Protection

Robert C. ...
Comptroller

JAN 25 1995

Ms. Susan Cange, Site Manager
Former Sites Restoration Division
Department of Energy
Field Office, Oak Ridge
P.O. Box 2001
Oak Ridge, Tenn. 37831-8723

Dear Ms. Cange:

Re: Remediation Cleanup Levels for Thorium/Radium Contamination at the Wayne and Maywood Interim Storage Sites, No Subsequent Excavation/Construction

The New Jersey Department of Environmental Protection (NJDEP) has completed its evaluation of the federal cleanup proposals for the referenced sites pursuant to the requirements defined in , N.J.S.A. 58:10B-12d(1), (commonly referred to as S-1070), and as they pertain to the remediation of sites contaminated with radioactive wastes. As was discussed during the August 18, 1994 technical meeting between our respective agencies and the United States Environmental Protection Agency (USEPA), S-1070 requires the establishment of a residential and non-residential cleanup level for the remediation of all sites within the state. The establishment of these *site specific* residential and non-residential cleanup criteria are therefore a function of land use, potential exposure and resultant dose/response effects. As required by statute, said effects must be evaluated with regard to a potential 1×10^{-6} risk factor or adhere to natural background levels. Additionally and as we discussed in our August meeting, the NJDEP has developed its remedial cleanup criteria for thorium/radium contamination at the respective sites based upon residential and non-residential use scenarios. The criteria for the first scenario, namely where no new construction and resultant soil excavation of any kind takes place and that existing site use is maintained is as follows:

a) For the residential land use as defined by N.J.S.A. 58:10B-12d(1) the following progression shall be used:

Thorium + Radium Combined in picocuries per gram (pCi/g)
Resulting in Concentrations of Material Remaining On-Site^{1,2} -

4 pCi/g with one foot of "Clean Cover" over site
5 pCi/g with two feet of "Clean Cover" over site

b) For the non-residential land use as defined by N.J.S.A. 58:10B-12d(1) and statutorily requiring the placement of a "Notice of Environmental Restriction" the following progression shall be used:

Thorium + Radium Combined in picocuries per gram (pCi/g)
Resulting in Concentrations of Material Remaining On-Site^{1,2} -

12 pCi/g with one foot of "Clean Cover" over site

15 pCi/g with two feet of "Clean Cover" over site

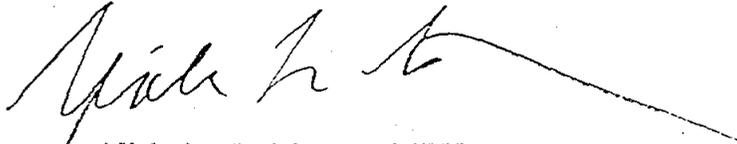
1: Assumes a 10 to 1 Thorium to Radium Ratio at the Wayne Site

2: Assumes a 4 to 1 Thorium to Radium Ratio at the Maywood Site

As indicated above, this site specific analysis assumes no new construction in impacted areas. Furthermore, the limit upon new construction in such areas would be designated by the placement of a "Notice of Environmental Restriction" pursuant to N.J.S.A. 58:10B-12d(1) also described above. Additional remedial considerations or caveats will become necessary in the event that a change in land use prompts excavation of soils/residuals with concomitant potential exposures.

If you have any questions concerning the above please call me at
(609) 633 - 1455.

Sincerely,



Nicholas L. Marton, MPH
Research Scientist II/Case Manager
Bureau of Federal Case Management

c: Wayne Howitz, DRE
Bob Stern, BER
Angela Carpenter, USEPA, Region II