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Nuclear - Witherspoon, Incorporated [2]

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

JUL 05 1990

4WD-WPB

Mr. Keith Hill
315 Post Office Building
Knoxville, Tennessee 37902

Dear Mr. Hill:

Enclosed is a copy of the material that the representatives from Towne Hall South gave me at the meeting we had with them on June 29, 1990. Should you have any questions, please give me a call at (404) 347-5065.

Sincerely,

A handwritten signature in cursive script, which appears to read "Charlie Stevens", is written over a horizontal line.

Charlie Stevens
Environmental Engineer

— 7/20/90

Kate,

The Chronology attached
is from Billy Freeman
w/ the Div. of Rad Health,
State Dept. H & E.

—

BHF

APR 10 1990

David Witherspoon, Inc.

Knoxville, Tennessee

03/20/62 Original application for AEC license (see 5/18/66 entry below)

03/08/63 Amendment 1 to AEC license SUB-587 (see 5/18/66 entry below)

02/16/66 AEC license SNM-952, issued with expiration date 2/28/69,
authorizing:

- 400 grams U-235 as enriched uranium contamination on scrap metal
- compression of scrap metal in accordance with submitted procedures

574-994
05/11/66 AEC license SUB-587, renewed with expiration date 5/31/69:

- authorized 5000 tons of scrap metal with uranium surface contamination not to exceed 0.1% by weight
- authorized use at AEC-owned sites (see Attachment 1)
- deleted 901 Maryville Pike address because of Tennessee's new Agreement State status

05/18/66 Application to DRH for license authorizing uranium:

- references previous AEC application dated 3/20/62 and Amendment 1 dated 3/8/63

05/26/66 DRH license S-4715-E8 issued with expiration date of 5/31/69 (typo error - 1968):

- authorized uranium as surface contamination on 5000 tons of scrap metal at no more than 0.1% by weight
- to be used in accordance with procedures described in application dated 5/16/63, as referenced in application dated 5/18/66

10/13/66 DRH inspection

01/12/68 DRH inspection

5/68 DRH investigation

05/29/68 application to DRH for renewal and amendment of S-4715-E8

08/09/68 DRH license S-4715-H1 renewed, amended in its entirety (Amendment 1), with expiration date of 8/31/71:

- authorized natural uranium or thorium contamination on 5000 tons of scrap metal
- authorized unloading, loading, sorting, cutting, storage, and preparation for shipment to licensed receivers; no smelting or other processing except as specifically authorized
- Condition 14 limited contamination to coating of metal surfaces; loose material or that contained inside pipes or closed vessels not to be processed with scrap metal, but collected and disposed of by returning to shipper or other persons authorized to receive waste

12/12/68 Amendment 2 to S-4715-H1 authorized smelting

03/12/69 DRH inspection

08/12/71 DRH inspection

08/24/71 application for renewal of S-4715-H1:

- requests normal uranium and thorium
- addresses presence of loose contamination

08/01/72 letter reporting recent fire which destroyed records

12/19/72 letter reporting that operations involving RAM have been stopped

03/01/73 DRH inspection

07/23/73 application for renewal of R-4715-H1

05/23/80 DRH inspection

12/31/81 Commissioner's Complaint and Order:

- dispose of uranium turnings and comply with various other regulations

05/26/82 Consent Agreement:

- Containerize uranium turnings within 6 weeks and dispose of within 1 year
- survey, sample, and dispose of soil containing greater than 35 pCi/g

08/82 negotiations for cleanup of 1630 Maryville Pike ("Rader" property) began

01/83 some barrels of Rader dirt moved to 901 Maryville Pike property

06/15/83 DRH and NRC visit site regarding NRC plans to terminate NRC license SNM-952.

09/16/83 Commissioner's Order and Civil Penalty issued, requiring:

- shelter and dispose of uranium turnings and soil by 11/83
- pay penalty of \$50,000

10/07/83 Order and Penalty appealed

04/05/84 First request from TDHE (Bruner) to DOE (LaGrone) for assistance in disposal of Witherspoon scrap

04/24/84 DOE (Kaspar) response to TDHE (Bruner)

11/13/84 DRH letter (Mobley) to Charles Rader releasing 1630 Maryville Pike property

05/08/84, 05/16/84, 11/19/84 Hearing rescheduled

05/09/85 Final Order executed, requiring:

- turnings disposal by May 7, 1985 (later extended to 6/21/85)
- Rader soil disposal by 1/7/86
- contaminated scrap and remaining soil disposal by 1/7/87
- payment of \$50,000 penalty if any deadline is not met
- payment of \$1000 damages
- surrender of RAM license upon completion of required actions

05/08/85 \$1000 damages paid

05/20/85 Contractor (Applied Sciences Laboratories) began uranium turnings cleanup operation

09/85 Ms. Hunley (cancer) incident; involvement by Knox Co. Commissioner Fred Flenniken began

9 & 10/85 involvement by Seaboard Railroad relative to their employee's safety

10/85 involvement by Commissioner's office (Huggins)
Representative Scruggs, South Knoxville Citizens
Action Group (Edna McNutt & Edna Mounger)

11/05/85 uranium turnings shipped to U.S. Ecology in Washington

11/22/85 DOE got involved (Mike Jugan)

12/04/85 2nd letter TDHE (Bruner) to DOE (LaGrone) regarding DOE assistance in disposal of material

01/31/86 letter from DOE (LaGrone) to TDHE (Bruner) granting qualified acceptance of contaminated material for disposal

?

02/18/86 received "Potential Hazardous Waste Site-Preliminary Assessment" of Witherspoon landfill (TND 950 848311)

04/02/86 letter from DRH (Mobley) to Witherspoon providing DRH requirements for removal of dirt and scrap

05/23/86 meeting with DOE; conclusions:

- acceptance criteria for contaminated materials
- scrap metal to be received first, followed by Rader dirt

07/08/86 removal of contaminated scrap metal began

08/08/86 last of scrap shipped - 27 loads containing 329 tons (to K-25 and Y-12)

03/23/87 report from DOE/Martin Marietta showing PCB in barreled Rader dirt

06/04/87 memo DRH (Mobley) to Solid Waste (Tiesler) requesting interpretation on PCB levels found in Rader soil

06/08/87 DRH (Mobley and Shuman) met with DOE (Jugan and Sleeman) to determine next step in Witherspoon cleanup

07/07/87 Division of Superfund (Dew) responds to Mobley's 6/4/87 memo

So they
know that
it's in barrels

03/27/89 TDHE (Comm. Luna) refers case to Attorney General's Office for enforcement and civil penalty collection

03/90 draft documents prepared by AG office to seek judicial relief

Attachment 1

AEC license Number SUB-587, as renewed 5/11/66, authorized Witherspoon to conduct activities only at specifically named AEC - owned facilities, viz:

- 1) Oak Ridge Lab Complex, Oak Ridge, Tennessee
- 2) St. Louis Airport site, St. Louis, Missouri
- 3) St. Louis Area Office, Weldon Springs, Missouri
- 4) Paducah Area Office, Paducah, Kentucky

The 901 Maryville Pike, Knoxville, Tennessee address was deleted in this renewal to allow for licensing of that location by the State of Tennessee under its newly acquired Agreement State status.

Later amendments to SUB-587 authorized Witherspoon to operate also at the following AEC-regulated sites:

- 1) Goodyear Atomic Corporation, Piketon, Ohio
- 2) United Nuclear Corporation, Chemical Products Division, Hematite, Missouri

AEC also authorized Witherspoon under license SNM-952 to possess quantities of special nuclear material (high enriched uranium), not subject to state jurisdiction, at the Knoxville location. Material possessed under this license came from Babcock and Wilcox Company, Lynchburg, Virginia.

Tennessee DRH license S-4715 did not specify the permissible sources of contaminated material. AEC license SUB-587 was later (5/13/69) amended to authorize activities at any AEC-owned scrap storage yard, rather than limiting Witherspoon to the 4 sites named above.

The following information concerning receipts of contaminated material was taken from various inspection reports and letters in the license file.

<u>Source of Scrap</u>	<u>Dates Received</u>
Babcock & Wilcox	April, May 1966, September 1967, June 1968, June 1969
Oak Ridge ^{1 2}	June 1964 through March 1968
White Wing Yard ²	August 1966 through November 1967, February through April, 1968
Union Carbide ³	May 1969 through July 1970
St. Louis	December 1964 through August 1965
Paducah	March through May 1965, May through August 1967, May 1969
Goodyear ⁴	October through December 1967
Stearns-Roger ⁵	April through July 1968, January through June 1969
National Lead ⁶	December 1969 through October 1970
Allied Chemical /Industrial Chemical Division	March 1971

1. The 10/13/66 inspection report states that "...scrap from Oak Ridge is generated at Y-12 and K-25."
2. The 1/12/68 inspection report states that material listed as "Oak Ridge" and "White Wing Yard" "...actually came from the same location, the K-25 section of the White Wing scrap yard which also contains sections for scrap generated at X-10 and Y-12."
3. The 8/12/71 inspection report states that "Mr. Witherspoon informed us that they had brought some scrap from Oak Ridge and others since 1969." It is believed that the entries identified as "Union Carbide" correctly refer to those purchases from Oak Ridge, and are of essentially the same origin as those referenced in footnotes 1 and 2 above.
4. The 1/12/68 inspection report states that this material came from "....Goodyear at the Portsmouth facility."
5. The May 16, 1968 investigation report states that Stearns-Roger is a Colorado based company which obtained the material from or through the U.S. Army at the Weldon Springs site.
6. National Lead is located in Fernald, Ohio. The 5/16/68 inspection report indicated that an unspecified amount of scrap from this source was on hand. No receipt record was presented.

HISTORY OF DAVID WITHERSPOON, INC. SITE, Knoxville, Tennessee

The David Witherspoon, Inc (DWI) junkyard located in the Vestal neighborhood of south Knoxville, is in the business of buying and selling radioactive scrap metal. Established in 1948, the company operated under a license from the Atomic Energy Commission (AEC), until 1966, when the state took over licensing. Operating under one of only several such state permits, DWI received thousands of tons of radioactive metal which were hauled there from Department of Energy (DOE) plants around the country. As well, since the 1950's, DWI has had "operations" in Oak Ridge National Laboratory's scrap metal yard, which remained under AEC's control after the state began regulating the Knoxville facility.

The radioactive scrap metal arrived by truck or rail in the form of steel and iron scraps contaminated with enriched and depleted uranium from unknown processes at currently operating DOE plants in Oak Ridge, Ohio, and Kentucky; as pipes and parts from an abandoned DOE plant in Missouri; and as metal from the contaminated Naval Nuclear Fuel Division plant of Babcock & Wilson Corporation in Virginia. The metal parts, chips, and tailings were hauled to the south Knoxville scrapyard in bulk or in barrels, and were dumped onto a two acre plot of land known to the workers as the "hot field," to be sorted by hand.

From these tailings and scraps, Witherspoon "recovered" metals such as copper, iron, and lead. Using Geiger counters, neighborhood women working for slightly more than minimum wage would sort out the radioactive metal by hand, place it into

barrels, and carry it back to the warehouse to identify the types of metal they had sorted. The metals were identified by using an electric grinder to remove the outer layer of rust and dirt, and then applying an acid to see what color the metal would turn. Dorothy Hunley was one of the women who worked this job for 12 years, and who died of a rare bone cancer in 1985. A Knoxville Journal article featuring an interview with her a month before her death documented some of her occupational experiences:

If the metal were contaminated with uranium, she said, "it'd throw a spark like crazy. God, it would go right through you...." Then, "you put acid on (the metal) and it would turn different colors according to what you had....It was hard work for a woman.... We've had a lot of men come in there and say, 'Lord, what you women doing in there,' and we'd say, 'Well, we gotta eat.'

Laying down their Geiger counters and hardhats at noon, Henley said the women would "sit down and eat... there on the ground, knowing it was dangerous but not knowing just how dangerous it really was."

(Knoxville Journal, 9/13/85)

The Witherspoon junkyard on Old Maryville Pike has employed as many as 300 workers at a given time. It currently employs around 70 people. Although daily work entailed handling of metals contaminated with radiation from enriched and depleted uranium, thorium, cesium, and cobalt, as late as 1969 Witherspoon did not use film badges or urinalysis for determining levels of exposure to workers. (Dupont had employed these methods since 1954.) One worker who came to the management with concerns about safety equipment was fired (TOSHA complaint, 2/7/73). Witherspoon has now been officially cited for many occupational safety violations, including the use of grinders without shields,

and a lack of respiratory equipment to keep workers from inhaling radiation particles. When asked by the Knoxville Journal whether he warned his workers about the dangers of radiation or provided protective clothing, Witherspoon replied, "I don't know much about that. I can't really remember," (Knoxville Journal, 9/13/85).

Other WDI operations which posed health threats to workers and nearby residents included the smelting of highly contaminated metals. Although smelting was not allowed under the original state license granted in 1966, WDI asked the state to allow smelting so that more ores could be separated for profit. The state granted the ammendment in 1968.

Perhaps most astounding in the case of the WDI scrapyard is the role the state has played in enforcing regulations. Following is a chronology of major health concerns and violations, and responses made by the state.

* 1971 Inspection: Incoming scrap metal is measured for radioactivity at 50 millirems per hour (mr/hr). This would equate to about 7 rems per month, while the legal limit of exposure for radiation workers -which is higher than for other people- is 5 rems per year.

(Letter, Fields to State, 1971)

* 1973 Inspection: Pipe is seen to be leaching uranium near a creek which leaves the WDI property.

All radioactive iron is stored in four piles, none of which are marked. One of the piles is measured at 150 mr/hr. Barrels of uranium turnings found in one of the piles. Later that night, state officer (Nanney) talked with Witherspoon and concluded, "I seriously doubt that he is in solid control of the operation."

(State report, 5/2/73)

*1976 The Tennessee Division of Occupational and Radiological Health tries to collect the first fine levied against DWI by them, in the amount of \$120. The fine, levied in 1975, was for restrooms being dirty, and the mens room not having stalls, at \$20 per day, for six days. The Attorney Generals office recommends the state not pursue the fine, because DWI is currently declaring insolvency.

*1980 Inspection: Eighty barrels of illegal uranium tailings are found on the WDI property. Some of the barrels are filled with a black liquid which has spilled all over the ground and turned the hillside black. The radioactivity of the tailings can not be measured, because the needle goes off the scale of the Geiger counter.

Over the next five years, the state repeatedly tells WDI to seal and then remove the barrels of uranium tailings, but never levies a fine. (See Journal article for detailed chronology of inspections and nonaction by the state office.)

*1981 Investigation: The U.S. Nuclear Regulatory Commission (NRC), which is supposed to monitor shipments of enriched U-235 -used for making nuclear weapons- discovers that WDI bought 200,000 pounds of steel highly contaminated with U-235, never reported the shipment, and then resold the steel to the Knoxville Iron Company. NRC is not able to discover where the contaminated scrap metal has gone; they do not fine WDI.

Witherspoon's official response to NRC investigators' inquiry as to why he did not know where the metal had gone was "Iron is iron." No further action istaken by NRC or the state. NRC concedes that WDI is not high on the priority list, and has not receive many inspections.

(Knoxville Journal, 9/13/85)

Commissioner of the Department of Public Health issues an order that Witherspoon's violations "pose a serious threat and potential for harm to the public health."

(Eugene Fowinkle, 12/31/81)

John C. Graves in the state office receives a call from Bill Crowe, NRC Atlanta about Witherspoon. Crowe says that NRC is considering termination of the DWI license with them, and wondered "how that would fit in" the state's license. The state tells him they would prefer NRC not to terminate DWI's license at the present time.

*1985, January. The state finally orders WDI to remove the barrels and several tons of contaminated soil within six months or pay a \$50,000 fine.

*1985, May. Witherspoon does not meet the deadline. The state gives WDI a two year extension, postpones the fine, and says it will allow WDI to deduct all clean-up costs from the fine.

DWI pays the state \$1000 to cover costs incurred by the state in citing and inspecting.

Railroad workers who must come onto DWI property next to uranium tailings make formal complaint of headaches and nausea. It is in this same area that in 1981 the radiation could not be measured by the state inspector because the level went off the Geiger counter. Mike Mobley, Director of the Division of Radiological Health tells the Knoxville Journal that he has received daily phone calls from railroad officials whose workers complain of illness when working near the scrapyard. Yet Mobley responds, "There is no risk to their individuals to go in there and hook up a rail car" (Knoxville Journal, 10/3/85).

On October 21, 1985, Mike Mobley is confronted by the South Knoxville Citizens for a Better Environment with their concerns about the slow clean up and possible health effects to neighborhood residents and workers. Mobley reportedly excused the state's ten year lack of action against radioactive contamination on the site by saying that until 1981 his agency had no legal recourse. The Vestal community group responded that the agency always had the ability to take Witherspoon to court, and that the agency still didn't levy a fine against WDI until

1985, and then had extended the clean up deadline without any real promise that WDI would conform to the order.

Mike Mobley concedes to the Knoxville Journal (9/13/85) that "that place has been a very, very consistent violator." But he goes on to say, "I guess it took us a long time to get to the point where we said, 'Enough is enough,'" and that he had finally reached the breaking point two years ago. After this article came out in the Journal, Mobley released the statement that "It's really difficult to believe anybody could have gotten any appreciative (radiation) dose from this....The public exposure to people in the neighborhood...is low risk," and that the junkyard is more of a risk to state health workers who have to sort out the "mess" (Knoxville Journal, 10/3/85).

Finally, the case of Dorothy Hunley may reveal a little more about the state's view about potential health risks associated with the site. After working 12 years at the Witherspoon junkyard, Henley was laid off in 1983, and shortly thereafter contracted osteogenic sarcoma, a form of bone cancer. This type of cancer is so rare that the only group ever to show an increased incidence of it was workers around the turn of the center who handpainted clock and watch faces with luminous radium. Yet even after Henley's death, the state maintains that it was highly unlikely that Henley's illness was related to with the materials she had handled.

When Randall Beck of the Knoxville Journal asked Mobley between business trips what he thought of the Henley case, he reponds that Witherspoon's junkyard was not supposed to be dangerous...."There really wasn't supposed to be much risk"

(9/13/85).

Bonding company employee will apologize for hitting Doug Trant

From staff reports

Sandy Atkins will have to apologize to Knox County Democratic Party Chairman Doug Trant after decking him at an election party last week — but she'll keep her bonding job, her boss said.

"Sandy is going to write him a letter of apology and she's going to take a 30-day leave of absence. (But) there's no punishment involved as far as the bonding business goes. It really didn't have anything to do with the bonding company," said Lynn Davis, owner of A-1 Bonding Co.

Atkins, an employee of A-1, apparently hit Trant in the face during an election party Thursday at the Hyatt Regency Hotel. The blow allegedly came after Atkins accused Trant of "selling out" Dennis Francis, Democratic candidate for Knox County General

Sessions Court judge.

Trant's wife, Janice, apparently broke up the altercation by calling for security.

Davis said the settlement reached between Atkins and Trant won't jeopardize her job with the bonding company. She was off duty at the time of the incident.

Davis said Atkins plans to use the leave of absence to spend time with relatives, especially with her sister, who is expecting a baby.

He said Trant indicated he did not want to take legal action against Atkins, and that the letter would settle the issue.

"I think everyone involved is real sorry that it happened and if they could step back they would do things differently. I guess it was one of those spur-of-the-moment things," Davis said.

Witherspoon image forces steel auction

BY RALPH DOSSER
of The Journal staff

The bad reputation David Witherspoon Inc. has on the environment is leading the company to shut down some of its operations, company president David Witherspoon Jr. said Wednesday.

"The general public thinks all we own are PCBs (a toxic chemical). It's not helped our business at all," said Witherspoon, a company stockholder.

The company is halting sales of new steel and plans to auction its 2,200-ton inventory, he said. It will also sell excess equipment, some used in processing metals for recycling, Witherspoon said. The inventory and equipment will be sold Aug. 28 and 29, said officials of Furrow Auction Co.

"We won't be doing as much processing," he said.

David Witherspoon Inc. is getting out of the "walk-in" scrap business, in which people bring in small amounts of recyclable steel, aluminum and other metals, Witherspoon said.

"For the volume we were having, it's not worth it," he said, adding that "several" jobs would be lost in the change.

The company will still handle industrial scrap, he said.

For years, controversy has surrounded the company's South Knoxville sites, once used to store large amounts of radioactive scrap from the Department of Energy and its predecessor, the Atomic Energy Commission.

Despite some cleanup, one site still has about 230 barrels of soil contaminated with uranium chips.

State environmental investigators have found evidence of PCB and metal contamination, along with radioactive "hot spots" at company-owned sites.

Witherspoon said reports of remaining problems are exaggerated.

"Everybody thinks all we've got is contamination," he said.

Journal
PS-A-1
8-9-90

Color picture

Landfill haunts Monroe family

Contaminated well
douses the dream
of idyllic rural life

JAN 22 1989

By JOHN H. STILES
News-Sentinel staff writer

SWEETWATER — Last year a Monroe County woman became an investigative mother.

In the past year, Jannice Trifero has plowed through enough bureaucratic correspondence to clog a landfill. Reports, memos and letters have been plentiful, but getting action and answers is something else, she says.

What she does know is that a laboratory says her son has five chemicals in his body and that the problem sits on a tree-covered hillside behind her family's home. She says it is a nightmare that occupies her mind 24 hours a day.

"Sometimes we get up in the middle of the night and talk about it," says her husband, Don Trifero. "Sometimes I just can't sleep for thinking about it."

The Triferos moved to rural

Please see LANDFILL, page A8



Don and Jannice Trifero with their children, James, 13, and Christina, 16.

Al Pucha/News-Sentinel staff

Landfill

Continued from page A1

East Tennessee to give their family a life away from the crowding and pollution of a major city like Akron, Ohio. They say what they moved into is a million times worse than what they left.

The family's nightmare began in July when they received a registered letter from state health officials.

"We got a letter saying we were a 'responsible party,'" Jannice Trifero said.

They are a "responsible party" for the Red Ridge landfill, operated by others in the 1970s on the hillside behind their house.

After moving to Tennessee, the Triferos said Bill Rodgers and other neighbors told them a landfill had been operated there.

"We were told it was just a sanitary landfill," Jannice Trifero said. The landfill had been a "nuisance" with uncovered litter and other problems, but no one had said it might be dangerous, according to neighbors.

After receiving the letter, the Triferos attended a meeting in Nashville.

State officials told the Triferos not to drink water from their well. Officials said dangerous chemicals had been found in underground water sources in and near the landfill.

"I thought it was a huke. I didn't believe it," Don Trifero said.

The Triferos called home from Nashville and told their children, James, 13, and Christina, 16, not to drink the water.

Today a tanker truck arrives at the Triferos home three times a week to fill large tanks in the couple's front lawn. Every drop they drink, cook with or bathe in is trucked in. Right now the state is paying the bill, but the Triferos fear the bill could one day be levied against them.

Environmental specialists from the University of Tennessee are helping officials in Monroe County cope with drinking water contamination caused by a landfill abandoned 10 years ago.

The UT Environmental Technical Assistance Group is providing the service under contract with the Tennessee Department of Health and Environment.

Jannice Trifero said she became concerned about her son's health.

"His face will turn white, and his lips blue," she said.

The couple paid a private company \$350 for a series of blood tests on James. In testing for 12 chemicals, James had five. "He shouldn't have any," she said.

She says the state is considering running a water line to the Trifero home.

"That is not what we want. We want a full buyout," Don Trifero

said. "They have known since the 1970s it was dangerous and didn't do anything until 1981."

The couple built their 1,344-square-foot home with their own hands. They lived in a mobile home during the early stages and moved into the house when it was "24 by 24."

The deed did not specify that it was a former landfill site. State law calls for that information to accompany a deed once a landfill site is officially "closed," but the Red Ridge site did not have that designation, they said.

"What can we do? This is everything we have," Don Trifero said.

Others in the area — including Bill Rodgers' family and Bill Winkler — have moved.

According to a large file of government documents assembled by Jannice Trifero, then county Judge J.P. Kennedy noted residents were complaining about operation of the landfill as early as August 1972.

In a letter to the state Department of Health, Kennedy wrote: "These people with this landfill are making fools of all of us and your department."

Tom Haeber, state Division of Sanitation and Solid Waste Management, wrote in a letter to Madisonville lawyer Gene Wethington in June 1973: "Routine monthly and quarterly evaluation of the Red Ridge Sanitary Landfill indicates that the facility is being operated in a manner acceptable to this office and the regulations governing solid waste processing and disposal in Tennessee."

The landfill last month was added to the state's Superfund cleanup list. The state Department of Health in 1979 ordered no more dumping in the landfill. The landfill was never to be used for the dumping of hazardous wastes that have been found there, state officials said.

The operation of the property and the operation of the landfill have changed over the years. The land originally was owned by W.E. Michaels, a Sweetwater lawyer and former state representative. The landfill was first operated by Davis-Waterspoon Inc. of Knoxville.

State law calls for owners of the property to be identified and held "responsible." But the Triferos people the Triferos bought the land from they bought it knowing it was no longer used as a landfill.

All these years Jannice Trifero obtained from state files shows the state was concerned about the landfill since earlier than 1964.

A Feb. 2, 1981, memo says, "Our concern for these private water supplies grows with each day that Red Ridge Landfill remains without final cover. We do not need to wait and eventually face the embarrassment that we have suffered in other areas of the state. The ball is late on this old landfill."

IMPORTANT

Woman's cancer may be linked to work in radioactive junkyard

© 1985, The Knoxville Journal
By RANDELL BECK
Journal Reporter

They crowded into the dark little house on Sutherland Avenue one Saturday in August to celebrate the 54th and maybe final birthday of Dorothy Jean Hunley.

Later, the grandchildren left. Big Momma, the sluggish basset hound, retired to the plywood doghouse out back. The house fell silent. Dorothy Hunley feigned astonishment that 40 people would bother with her birthday.

"Can you imagine it?" she asked, her voice suddenly shrill. But really it was no surprise — to her or anyone who knows that Dorothy Hunley is dying of cancer.

But this is no ordinary cancer — arising, her doctor fears, from 12 back-breaking years when Dorothy Hunley toiled in a Knoxville scrap yard littered with radioactive junk.

The cancer appeared in one lung last February, spread to a hip by April and now has reached her brain. The doctors call it an osteogenic sarcoma — bone cancer.

"She might die tonight. She might die in two or three weeks. But she is going to die," said her physician, Dr. Bill Riggins.

"I'm surprised she has lived as long as she has," said Dr. John Bedwinek, a radiation oncologist at Baptist Hospital, where Dorothy

Inside

■ Dorothy Hunley's cancer is osteogenic sarcoma, so uncommon that only one group has ever shown an increased incidence of the disease — workers who painted clock and watch dials with luminous radium early in the 20th century.

■ Past inspections of David Witherspoon Inc. by the Tennessee Department of Radiological Health have turned up violation after violation. A chronology.

On Page A9

Hunley received treatments to slow the cancer's progress.

While the outcome of her illness is predictable, the cause is less certain.

Bedwinek said it may not be possible to prove why the cancer appeared. But Riggins, her physician for more than 15 years, thinks he knows why she has cancer.

From 1970 to 1983, Dorothy Hunley worked at David Witherspoon Inc., a scrap yard at 901 Old Maryville Pike. With dozens of other workers — laboring in a two-acre plot of weeds and brush they called the "hot field" — she handled radioactive scrap metal.

Everyday exposure to radiation — enriched and depleted uranium, thorium, cesium, cobalt — could have caused the cancer in Dorothy Hunley, Riggins said.

Rarely found, osteogenic sarcoma

has appeared in workers exposed to radioactivity.

"I'm not an expert in the field," Riggins said, "but I think her cancer is related to her exposure to radioactivity at work."

And that makes him wonder about the health of other workers at the scrap yard. As many as 300 were employed there during the 1970s, about 70 today.

"What about them?" Riggins said. "If they had uranium out there, there's no telling what those people might have."

Since 1966, David Witherspoon Inc. has been one of a handful of companies with a state permit to buy and sell radioactive scrap metal. According to records and interviews:

■ Thousands of tons of radioactive steel and iron — some of it ex-

ceeding limits set by regulators — have been hauled to the Knoxville junkyard from Department of Energy plants in Oak Ridge, Missouri, Ohio and Kentucky.

■ Nobody knows where some of that scrap, including several loads of enriched uranium from a Lynchburg, Va., nuclear fuel plant, ended up after leaving Knoxville.

■ Despite warnings by their own inspectors, state and federal regulators have allowed the scrap yard to operate while it violated dozens of environmental and occupational standards.

■ Junkyard workers were not required to wear respirators to keep from inhaling the radiation, nor were they warned about potential dangers.

David Witherspoon Jr., who took over the business from his father, refused comment on most of the scrap yard's activities. He said he couldn't remember if the business had any radioactive scrap and denied knowledge of uranium waste on the property. He said he knew of no junkyard workers who had contracted cancer.

Established in 1948 by David Witherspoon Sr., the company buys scrap metal from across the country and cleans, consolidates and recycles it. The scrap yard handles all kinds of metal — copper and

See Cancer, Page A9



The Knoxville Journal/JAC

Dorothy Hunley suffers from a rare kind of cancer the physician believes was caused by exposure to radiation.

April 6, 1981 — Letter to David Witherspoon: "With respect to the barrels of uranium turnings which are in your possession without authorization on your radioactive material license, proper disposal of these must be made immediately."

Dec. 21, 1981 — Eugene Fowinkle, commissioner of the Department of Public Health, signs order saying Witherspoon's violations "pose a serious threat and potential for harm to the public health." Scrap yard is told to dispose of uranium tailings.

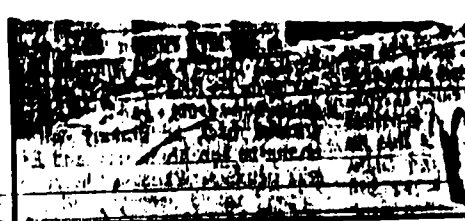
Aug. 23, 1982 — Telephone conversation. Witherspoon is asked why barrels of uranium tailings have not been sealed as ordered. "He replied that he was not aware that we had gotten the environmental samples we wanted; therefore, he had purposely avoided taking action. ... He said he would complete the

pose of uranium tailings and contaminated soil by May 7, 1985, or pay a \$50,000 fine.

Feb. 13, 1985 — Inspection. Railroad workers had complained of nausea and headaches. "The barrels and site appeared to be in the same condition as the last visual inspection by this division."

May 9, 1985 — Inspection. "Everything looked the same as it did the last time I was there. All barrels are in the same place they have been for the past few years."

July 29, 1985 — Inspection. Uranium tailings, now mixed with concrete and sealed in barrels, are still there because of a delay in getting permission to ship waste to Washington State. Witherspoon "said that everything was just about ready to go."



State regulators have tried for five years to mixed with cement and sealed in these barrels. In the background, piles of metal await ship

Cancer

From Page A1

steel, iron and brass.

While David Witherspoon Jr. now does most of his business at 901 Old Maryville Pike — about a mile from from Mary Vestal Park — there have been other enterprises.

In the 1970s, Witherspoon's company ran several landfills. Witherspoon was forced out of the landfill business as a result of poor management — the firm filed for Chapter XI reorganization in 1976 — and complaints from neighboring landowners.

"I guess every agency in the state has at least a couple of case histories on Witherspoon," said Earl Leming, former water quality director for East Tennessee.

By 1980, however, regulators discovered that the real problem at the Witherspoon junkyard centered on thousands of tons of radioactive scrap that had been shipped there for more than 10 years.

It came in on trains and trucks: uranium-contaminated pipe from a dismantled Department of Energy plant in Weldon Springs, Mo.; scrap steel and iron parts from DOE plants in Oak Ridge, Portsmouth, Ohio; and Paducah, Ky.; old steel plants, contaminated with enriched uranium, from the Naval Nuclear Fuel Division of Babcock & Wilcox Corp. in Lynchburg, Va.

Depleted uranium chips and tailings — products of unknown processes from Energy Department plants — came in loose and in barrels, dumped in the "hot field."

That was where Dorothy Hunley and other women — Vertia Lambert, who retired; Brenda Hunley, no relation but Dorothy's good friend — worked for slightly more than minimum wage.

Armed with Geiger counters, the women would sort out the radioactive metal. Often, scrap would be so hot the needle would disappear off the scale of the counter.

"They'd send us in there," she recalled, "and we'd pick it up and take it back to the warehouse."

Then the workers had to find out what kind of metal they had — copper, steel, iron, aluminum or lead.

They slapped a grinder on the metal to remove the outer crust of rust and dirt. If the metal was contaminated with uranium, she said, "it'd throw a spark like crazy. God, it would go right through you."

Then, "you put acid on (the metal) and it would turn different colors according to what you had," Dorothy Hunley said.

"It was hard work for a woman,



Dorothy Hunley: "If I knew that place was what brought a lot of this on, I'd of quit there years ago."

now," she said, grimacing at the memory of cold steel, the mean, gritty dust in her face, the peculiar smell of acid reacting to metal.

"We've had a lot of men come in there and say, 'Lord, what you women doing in there.' And we'd say, 'Well, we gotta eat.'"

They did that too, laying aside their Geiger counters and hardhats at noon.

"We'd sit down and eat our lunch there on the ground, knowing it was dangerous but not knowing just how dangerous it really was," she recalled.

Asked whether he warned his workers about the dangers of radiation or provided protective clothing, Witherspoon said: "I don't know much about that. I can't really remember."

Today, no one knows how dangerous the work was for employees like Dorothy Hunley.

But buried in Witherspoon's voluminous file in Nashville are strong indications that workers and the public may have been threatened by what went on there.

In February 1984, for example, state inspectors discovered high uranium scrap.

The scrap — shiny metal shavings called tailings, and chips — had been stored at the scrap yard since about 1968, although Witherspoon's license never allowed such highly radioactive material.

One reading near the barrels measured 44 millirems of radiation per hour. Someone working near that area could have been exposed to about 7 rems of radiation in a month.

The limit for most radiation workers in a year is 5 rems.

Last February, after railroad workers complained of nausea and headaches when they were near the junkyard, state inspectors again measured the radiation.

Their report: radiation in the area was 10 times natural levels. Some readings near barrels of uranium-contaminated soil were more than 30 times natural levels. The state took no action.

Regulators say they may never know how much contaminated scrap was hauled to the junkyard. The reason: record-keeping was never Witherspoon's strong point.

That is what the U.S. Nuclear Regulatory Commission, which is supposed to monitor shipments of enriched uranium, discovered in 1981.

NRC investigators learned that Witherspoon bought 200,000 pounds of scrap steel about 1970 from a Babcock & Wilcox plant in Virginia. The steel was contaminated with Uranium 235 — the enriched uranium used in building nuclear weapons and making fuel for nuclear power plants.

Witherspoon never told the NRC — a violation. The steel contained about 61 ounces of U-235, five times the federal limit. Also a violation. The scrap yard did not report the shipment — another violation. At some point — no one is certain when — Witherspoon hauled the load to Knoxville Iron Co. to be melted. Still another violation.

The NRC did not fine the scrap yard, but Witherspoon's license to handle enriched uranium was revoked.

"We tried to track it down," said John Potter, head of the NRC's nuclear materials licensing division in Atlanta, "but there apparently was a loss of records, and so there didn't appear to be any documentary evidence of where it went."

Any risk to the public, he maintained, "was slight."

But Witherspoon's response to the NRC investigators in 1981 revealed much about his attitude toward radioactive scrap.

According to NRC records, when the scrap dealer was asked why he did not know where the metal had gone, he replied: "I don't know."

Tennessee officials have encountered similar resistance. The story of the state's regulation: inspections, warnings, delays.

"That place has been a very, very consistent violator," said Michael Mobley, director of the state division of radiological health. "I guess it took us a long time to get to the point where we said, 'Enough is enough.'"

Mobley said he reached the breaking point two years ago, but 80 barrels of unauthorized radioac-

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More warnings went unheeded, creating a sense of frustration among some state inspectors.

"It didn't matter how many letters were written or how many times we threatened him," one former state official said. "He wouldn't do anything and neither would" top state officials.

Until 1983, when the Department of Health and Environment was given the power to levy fines, the state was virtually powerless in fighting violators like Witherspoon, Mobley conceded.

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The state, for example, had to go to court three times in the 1970s to force Witherspoon to get rid of some scrap from Rohm & Haas that was tainted with toxic, flammable chemicals — ethyl acrylate and methacrylate.

As for the federal government, Potter said the NRC had more important things to do.

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Enforcement has gradually improved since 1983. Early this year, threatening a \$50,000 fine, the state ordered Witherspoon to package the uranium tailings and several tons of contaminated dirt and ship them off to a low-level waste storage site.

Radioactive material, the order said, "has been allowed (by Witherspoon's) conduct to contaminate the environment and may threaten the public health, safety and welfare."

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The material, though, has been mixed with concrete and loaded into yellow barrels. Witherspoon is waiting for permission to haul the uranium waste to a storage site in Washington State.

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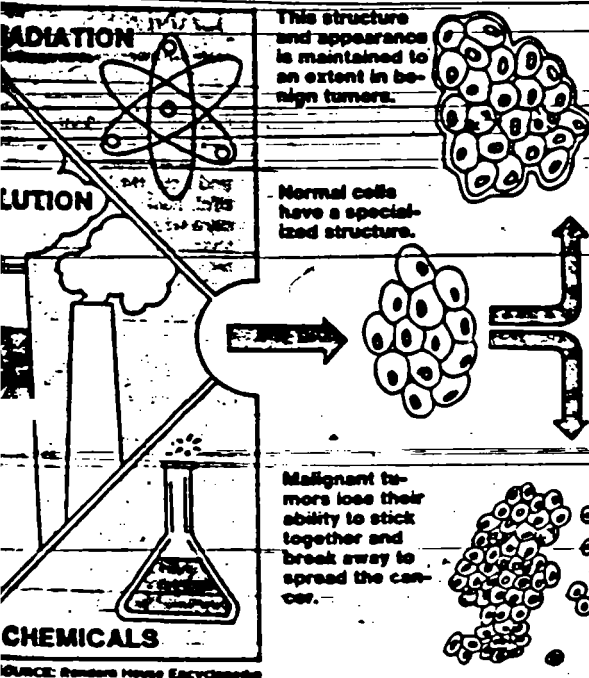
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Cancer causes

Several cancer-causing factors have been identified even though the mechanisms by which normal cells ate into cancer cells are not known. The chart shows three of the many carcinogens.



SOURCE: Random House Encyclopedia

Rare cancer darkens woman's life

By RANDELL BECK
Journal Reporter

The symptoms appeared in February: severe coughing, a fever, shortness of breath.

Bronchitis, perhaps pneumonia, was the diagnosis and she was given the usual antibiotics.

The symptoms worsened and Dr. Bill Riggins wanted to admit Dorothy Jean Hunley to the hospital. No insurance. More antibiotics. A brief respite but then she got worse. Emergency room. Tests. Treatment.

"I liked to have died," Dorothy Hunley said later, recalling the pain, the strangling, claustrophobic fear that accompanies the thought that this breath may be your last.

"I couldn't breathe. I knew I was sick in some way. It seemed like I just wasn't getting any better."

Using a laser, a specialist at Fort Sanders Medical Center cut the growth from her bronchial tubes.

"She was going to die if we didn't do something," Riggins said. His patient, Riggins later discovered, will die anyway. In her lung, hips and part of her brain, she has an osteogenic sarcoma, a rare kind of bone cancer.

Dorothy Hunley's cancer is even more unusual because it began in her lung, rather than in her limbs. Riggins and Dr. John Bedwinek, a radiation oncologist at Baptist Hos-

pital, had never seen such a cancer.

Osteogenic sarcoma is so uncommon, said Bedwinek, that only one group has ever shown an increase in incidence of the disease. Many workers who painted clock and watch dials with luminous radium early in the 20th century — accidentally breathing and ingesting radioactivity — developed osteogenic sarcomas.

"That's the only situation that I know of where we have been able to document a cause of osteogenic sarcoma," Bedwinek said.

At first, Dorothy Hunley's cancer did not respond to radiation treatments. It wasn't until the 26th treatment — her hair began to fall out in clumps; she despaired of any way to stop the cancer from engulfing her brain — that Bedwinek noted some improvement.

The radiation treatments had been a "last-ditch effort" to halt the tumor's growth. "Much to my amazement," she responded, Bedwinek said last week after the latest tests.

Of course, the future is still grim for Dorothy Hunley.

"It's probably all over her now," Riggins said. "Most studies show radiation (treatments) don't really do much to slow down osteogenic sarcomas. It's not a treatment that will cure her."

She has trouble getting about her small house. Severe headaches

keep her from reading — one of her passions. Her hip hurts. Often her head burns hellishly. She feels rotten.

While Riggins feels sure his patient's cancer was caused by radiation at David Witherspoon Inc., her employer for 12 years, there may be no easy way to prove his contention.

"It's impossible to say what caused (the cancer) with any degree of certainty," Bedwinek said.

Osteogenic sarcomas cannot be linked definitely to radiation exposure — unlike some lung cancers which, through their unique cell structure, can be traced to asbestos.

After some delay — when Dorothy Hunley nearly was lost among the bureaucratic cracks of state government — the Tennessee Division of Radiological Health has entered the case.

Urine tests have been scheduled at a Department of Energy facility in Oak Ridge, the Radiation Emergency Assistance Center/Training Site (REAC/TS). Doctors there will try to locate old deposits of radioactivity in her body.

"The way I understand it," said Michael H. Mobley, division director, "this cancer can happen without radiation exposure, but it can be related to radiation exposure."

If her cancer was caused by exposure to radioactivity — even low

levels several years ago — tests may disclose some residue, Mobley said.

If the tests are negative, he said, "the feeling would be that the cancer was not caused by her activity at Witherspoon's."

Science knows little about the long-term health effects of low-level radiation. Studies in England have indicated a relationship between cancer and X-rays over several years, but scientists know more about the danger of high levels of radioactivity.

"Radiation is a weak tool in producing cancer, compared to a lot of chemicals, but we know that it can," said John Auxier, president of Applied Science Laboratory Inc. in Oak Ridge.

Riggins knows it can and that is why he worries about other workers at David Witherspoon Inc. who have handled radioactive scrap.

"If you found another cancer (like Dorothy Hunley's) among the workers, that would be an indication that her's is more than just chance. Someone ought to find out."

As for Dorothy Hunley, her strength is sapped by the battle to survive a single, sleepless night, a minute-crawling day. She has no hope. She has hope.

"All I want to do is get well," she said.

Regulators find history of violations in scrap yard

RANDELL BECK
Reporter

9 years of inspecting David Witherspoon Inc., regulators have had no trouble spotting violations at the Knoxville scrap yard. Getting those violations corrected is something else.

Inspections by the Tennessee Department of Health have turned up violation after violation. Although officials warned that workers and the public were threatened, some contaminated metal remained in the scrap yard.

Examples of that regulation:
March 8, 1980 — Inspectors find 70 to 80 barrels of uranium tailings and other contaminated scrap. Barrels are open and filled with a black liquid leaking "apparently causing the ground on the

agreement in one or two weeks."

■ Sept. 16, 1982 — Inspection. Conditions have not changed.

■ Jan. 5, 1983 — Inspection. "The uranium tailings have not been sealed in their containers, nor have the containers been sheltered from the environment. The status of corrective action appears unchanged."

■ May 6, 1983 — Inspection. Conditions have not changed.

■ June 15, 1983 — Inspection. Found barrels of uranium tailings, dirt contaminated with radioactivity and a pipe "apparently made from depleted uranium."

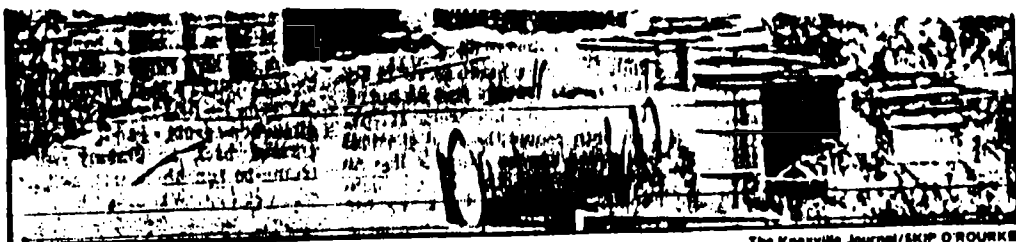
■ Feb. 1, 1984 — Inspection. Survey uranium turnings. "The barrels were still there, nothing has changed..."

■ June 22, 1984 — Inspection. "The string ... of



18, 1983 — Inspection. Uranium tailings, mixed with cement and contaminated soil by May pay a \$50,000 fine.
13, 1983 — Inspection. Railroad workers had 1 of nausea and headaches. "The barrels and red to be in the same condition as the last section by this division."
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State regulators have tried for five years to force the removal of radioactive uranium scrap, now mixed with cement and sealed in these barrels, at David Witherspoon Inc., 901 Old Maryville Pike. In the background, piles of metal await shipment on railroad cars.

Last February, after railroad workers complained of nausea and headaches when they were near the junkyard, state inspectors again measured the radiation.
"Their report: radiation in the area was 10 times natural levels. Some readings near barrels of uranium-contaminated soil were more than 30 times natural levels. The state took no action."
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But when the reporter picked up a silver metal shaving near the barrels, a scrap yard worker did issue a warning: "I wouldn't pick that up if

I were you."

"Now, I don't feel angry at anybody." Pause. "I'm not a person who carries a grudge."

Her words were barely audible. Dorothy Hunley cried, dabbing at red eyes with a crumpled tissue.

"If I knew that place was what brought a lot of this on, I'd of quit three years ago."

When her physician, Riggins, learned his patient had a rare kind of cancer, and that she was exposed to radiation at Witherspoon's, he telephoned the state division of radiological health.

That was in June and there was a delay, a question of jurisdiction.

But at last, two months later, two inspectors came to her home. She told them what she'd already told Riggins. The inspectors filed a one-page report on the visit.

The state, seeking to prove or disprove Riggins' contention that the cancer is linked to radiation at Witherspoon's junkyard, has scheduled urine tests for Dorothy Hunley at a Department of Energy facility in Oak Ridge.

"With a cancer that rare," Riggins said, "I guess nobody's going to stick his neck out. That's the way it looks."

Mobley, Tennessee's director of radiological health, is busy these days with some big issues: widespread problems at Oak Ridge, the proposal to build a high-level waste packaging plant in Tennessee.

Between trips, Mobley was asked about Dorothy Hunley. Radioactive metal shipped to Witherspoon's junkyard was not supposed to be dangerous, he said.

"There really wasn't supposed to be much risk," he said.

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ource said.
physician, Dr.

It also will say Sonya Butcher has been forced into
bankruptcy because of Butcher's wrongdoing and
through no fault of her own.

If a pending lawsuit in federal bankruptcy court is
successful, the document says, it will have the effect of
"evicting" Sonya Butcher and her children from their
\$675,000 home near Orlando, Fla.

The source said Butcher's counsel also will refute

and the Federal Deposit Insurance Corp. "have made
certain that Jake Butcher is utterly and completely
broken financially."

The source said Butcher's lawyers will also, ask
senior federal Judge William K. Thomas to act imme-

Sept. 30, 1985 See Butcher, Page A10



The Knoxville Journal/JACK ROSE

he air to give a high-five to offensive lineman Bruce
ned in the celebration after Robinson's first-quarter,
lm McGee. More on the game, Pages B1, B8.

Scruggs seeking state answers on radioactive junk

South Knoxville scrapyard topic of meeting with health officials

By **RANDELL BECK**
Journal Reporter

Worrying that a Knoxville junk-
yard may threaten the health of its
workers and area residents, state
Rep. Buddy Scruggs will meet with
top health officials to find out why
more hasn't been done to clean up
the place.

Scruggs said he will meet at 11
a.m. Wednesday in Nashville with
aides to state health commissioner
Jim Word. The legislator also wants
to discuss David Witherspoon Inc.,
a junkyard on Old Maryville Pike,
in a separate meeting with Word.

"I want the state to enforce the
law, to do its job," said Scruggs,
who represents the area in South
Knoxville where the company buys
and sells scrap metal.

The object of complaints by
Scruggs, workers and residents is
radioactive junk that the company
has handled for the past 19 years.
State records show the levels of ra-
dioactivity often exceeded limits
set by the license given the com-
pany in 1966.

The firm purchased much of the
radioactive scrap from Department
of Energy plants in Oak Ridge,
Kentucky, Ohio and Missouri. Se-
veral loads of enriched uranium,
which is used in making nuclear fuel
and weapons, also wound up at the
scrap yard.

In the past two weeks, since The
Knoxville Journal detailed prob-
lems at the scrap yard, Scruggs said
he has received calls from nearby
residents who are concerned about
possible contamination.

"I don't like the idea of all that
stuff being out there," Scruggs said.
"Some of it shouldn't have been
there at all, and if it was there it
should have been removed promptly."

Much of it, though, remained for
years at the company's scrap yard

at 901 Old Maryville Pike, about
two miles from Mary Vestal Park.

In the late 1960s, for example,
Witherspoon's company obtained
several loads of uranium tailings —
shiny silver shavings from some
unknown government operation.

State inspectors discovered the
material about 1980, but that scrap
is still there. Late this summer, after
state officials threatened the firm
with a \$50,000 fine, the material fi-
nally was mixed with concrete and
stored in barrels.

"That place has been a very
consistent violator," said Michael
Mobley, director of the state Divi-
sion of Radiological Health. "I guess
it took us a long time to get to the
point where we said, 'Enough is
enough.'"

In Scruggs' opinion, it may have
taken too long.

"The question that I keep asking
myself," Scruggs said, "is: 'Who is
responsible for this?'"

Although Scruggs said he will
reserve judgment on the state's role
in the matter, he said it is clear from
looking at inspection records that
Witherspoon knew the contaminat-
ed material might threaten the
health of his workers and the public.

Witherspoon was repeatedly
warned — in letters from state re-
gulators, by inspectors visiting the
site — that some of the material
handled at the scrap yard could en-
danger the public.

Former workers have said they
were not required to wear respira-
tors — a common device used at
government plants to protect em-
ployees from inhaling radiation.

Two former workers have con-
tracted diseases that may be relat-
ed to their work. In addition,
workers for nearby Louisville &
Nashville Railroad have complained
of illnesses when laboring near the
junkyard.

ous problems with the way the school is run and suggested that personnel changes are needed.

"I think perhaps they are not strong enough," Lotts said Thursday about the top administrators at Farragut.

Please see FARRAGUT, 9A

Despite 4 years of trying, scrapyard operator can't unload radioactive dirt

BY CAROLYN FRETZ

of The Journal staff

David Witherspoon Jr. has been trying to get rid of several tons of radioactive and PCB-contaminated dirt for four years now, he says.

The dirt is still lying in a scrapyard operated by David Witherspoon Inc. along Old Maryville Pike, but Witherspoon says he has traveled far and wide through both the state and federal government bureaucracies.

"I want to get rid of this dirt, and I want to surrender my license to handle uranium-contaminated scrap back to the state," Witherspoon said. "The trouble is, I can't turn in my license until I get rid of the dirt, and I can't get rid of the dirt."

Witherspoon said the dirt, which is contaminated with tiny pieces of radioactive metal and with cancer-causing polychlorinated biphenyls (PCBs), can be legally removed only by the Department of Energy.

"But they won't take it," Witherspoon said. "I've even offered to haul it to them."

The catch, Witherspoon said, is that because the dirt is radioactive it must be handled by the DOE. But, because the dirt is also contaminated with PCBs and possibly even with heavy metals, the DOE won't take it.

"The DOE is the licensing agent for anyone who handles radioactive waste," Witherspoon said. "So far they haven't given anyone a license to dispose of mixed material that is both radioactive and toxic or hazardous."

Ironically, the source of much of the current contamination at David Witherspoon Inc. was material the company received in the 1960s from the forerunner of the DOE, the Atomic Energy Commission.

The company, then owned and operated by Witherspoon's

Please see DIRT, 9A

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WAVE GOOGLE

so long he's just not surprised by anything."

She's asked if it matters that Beatty has such a lengthy romance record.

"I'd be a liar if I said it didn't," she says. "Sometimes I think, he's been with the world's most beautiful, most glamorous, talented women. I go, 'Oh, my God! Oh, my God!' ... I mean how can I ever be as fabulous as Brigitte Bardot when she was 25. Or Natalie Wood. ... Then there is the other side of me that says

as well."

As their relationship goes on, will it, too, gain respect? Sessums asks.

"That depends on what mood I'm in," she teases. "Sometimes I'm cynical and pragmatic and think it will last as long as it lasts. Then I have moments when I'm really romantic and I think, We're just perfect together. ... He has an outlook on life, an overview, that I don't have, and I think that makes for something that will last."

Penn, gone are the flip answers. Tears well up in her eyes. It's "too painful" to think of seeing him, she says.

"I went through a period when I felt like a total failure — as any good Catholic girl would. But I'm over it now. I just feel sad. Every once in a while at night I'll wake up and go, 'My God! I was married once. I was married and he was the love of my life.' It is like a death to deal with. It's very, very difficult."

Dirt

From Page 1A

father, was granted a license in 1966 by the regulatory arm of the AEC to receive material with a fixed amount of radiation.

The director of the Tennessee Division of Radiological Health, Mike Mobley, said Witherspoon Inc. soon was caught in a bureaucratic web. The research and development arm of the AEC began shipping the company material that it was not licensed to receive, including loose, pure, uranium product.

"The two arms of the AEC did not communicate with each other," Mobley said. "And the regulatory arm failed to control the R&D arm."

For years Witherspoon Inc. received tons of "hot" metal from AEC plants in Oak Ridge, Missouri, Ohio and Kentucky. Much of that metal was in the form of pipes, which frequently turned out to contain loose enriched uranium.

In 1986 about 75 tons of uranium-contaminated pipes and tailings were removed from the scrapyard and taken to a burial site in Oak Ridge. Now the Tennessee attorney general is considering bringing suit against the company to force it to clean up what remains of the mess — about 200 barrels of tailings and four or five truck-loads of contaminated dirt.

The Division of Radiological Health has sought the help of the at-

torney general's office to enforce a cleanup order issued by the division. Mobley characterized the move to the judicial system as an "escalated enforcement action." Assistant Attorney General Tim Wurz said his office is still studying the case to see what, if anything, the attorney general can do.

In addition, the office of the Tennessee division of Superfund is investigating the case. Dan Hawkins, the assistant manager of the fund's Knoxville field office, said his office still is trying to determine if any of three South Knoxville sites owned by Witherspoon represent a sufficient hazard for them to issue their own cleanup order.

If a preliminary investigation does find any of the sites to be hazardous, the next step is to determine who is the responsible party.

"If Witherspoon was found to be the responsible party, an order from our office would require him to determine the precise extent of the hazard and to provide several alternatives for remediation of the hazard," Hawkins said. "He would then have to submit that report to us, and we would approve one of the remediation plans."

Mobley confirmed that there may not be anywhere for Witherspoon's dirt to be processed, and storage facilities are few and far between.

"The technology exists to deal with mixed waste, but no one is employing it," Mobley said. "There just isn't any place handling mixed waste right now."

A toxic waste incinerator under

construction at DOE's K-25 Gaseous Diffusion Plant in Oak Ridge was designed to handle mixed material, Mobley said, but it is not operational. The results of test burns there have not yet met federal licensing guidelines.

The dirt could be put into barrels and stored indefinitely until it can be processed, but there are no licensed storage facilities for mixed waste in Tennessee, Mobley said. The closest one may be in Texas.

"A considerable amount of analysis still needs to be completed on the dirt to determine exactly what's out there in terms of chemical or toxic material," Mobley said. "A lot of the dirt may not contain PCBs, and in that case it could just go out to Oak Ridge as low-level radioactive waste."

Mobley said a ballpark figure for analyzing the dirt, putting it in barrels, transporting it and then storing it could be as high as \$500,000.

"Today, before we grant anyone a license to handle radioactive or hazardous material, they have to provide financial assurance that they can clean up any sort of contamination that might occur," Mobley said. "That wasn't the case back in the '60s, and Witherspoon says he can't afford to start the cleanup."

Mobley said even the analysis of the dirt will be complicated and costly.

"You can't have just anyone go out and handle radioactive dirt," he said. "But with anything like this, the longer you wait, the worse the problem usually gets and the more expensive it gets to clean up."

Label

From Page 1A

Nuber said.

"I really don't know what the right answer is, but we need something until society develops its own answer," he said.

Managers of two Knoxville record stores said they oppose the bill because it approaches censorship.

bill, it is being fought in Nashville by the American Civil Liberties Union.

"To allow restrictions on the creation and distribution of musical expression will provide impetus to those who want to censor certain books, films and artistic and political forms of expression," said Hedy Weinberg, executive director of the state ACLU.

She said the effect of the bill could be to require warning labels not only on music which may glorify sex and violence, but also for those songs which discourage it as well.

Junkyard battle still hot

Who will determine hazards of nuclear dump dirt?

By **RANDELL BECK**

The Knoxville Journal

Touring a junkyard on Old Maryville Pike six years ago, a state health inspector found 75 barrels of radioactive scrap. Open, some of the barrels oozed something black on to the ground.

Those barrels finally were hauled away this summer. But today, tons of contaminated dirt remain at the dump run by David Witherspoon Inc. Like the battle to remove radioactive scrap, efforts to get rid of tainted dirt are bogged down, caught between stubborn bureaucracies. And rules.

A preliminary survey by the state Department of Health and Environment found no reason for nearby residents to be alarmed. Mike Mobley, director of the state division of radiological health, was relieved. Forcing the dump to clean up its act is tough enough.

"The progress has been very slow," Mobley said, "but I guess we knew that it would be."

The South Knoxville Citizens for a Better Environment, which campaigned last year to have the radioactive scrap removed, "has sort of fallen by the wayside now," said nearby resident Linda Sharp.

"We feel like we mainly got what we wanted," Sharp said, although she complained that the citizens group had not been told about the results of the health study.

The Department of Energy, where the junkyard got most of the contaminated scrap in the 1960s, hauled away the barrels of uranium tailings — tiny slivers of radioactive metal — in July.

Now, however, DOE, the U.S. Environmental Protection Agency, the junkyard and state officials are locked in a struggle over who should analyze tainted soil before it is hauled away.

There may be enough contaminated soil to fill 240 drums. Witherspoon, owner of the scrapyards, could not be reached for comment.

The scrapyards at 901 Old Maryville Pike — a mile from Mary Ves-

tal Park — has long been a thorn in the side of state and federal regulators. Granted a license in 1968 to buy and sell radioactive metal, the company often has been in violation of environmental laws.

Thousands of tons of radioactive steel and iron were hauled to the junkyard from Energy Department plants in Oak Ridge, Missouri, Ohio and Kentucky.

Truckloads of scrap were dumped into a field, where employees — usually women — used Geiger counters to sort the material. Employees later claimed that their work around the "hot" metal caused a variety of illnesses.

For years, the junkyard's environmental problems — and the complaints of nearby residents — had been caught in a unending circle of regulatory impotence, critics claimed. Inspectors found problems, their bosses issued threats and, a few months later, the inspectors found the same problems again.

See JUNK, Page A8

Angered on report.

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statement on "has acs of the past were con-

Page A8

Junk

From Page A1

Then Dorothy Hunley died.

A 54-year-old grandmother who worked at the junkyard for more than a decade, Hunley slipped into a coma last October and died, the victim of a rare kind of cancer that consumed her lungs, hips and brain.

Hunley's longtime physician, Dr. Bill Riggins, said her work at the scrapyards may well have caused her illness. Last summer, as Hunley waited for death in her dark little house on Sutherland Avenue, her doctor warned state officials that something was amiss at the junkyard. Workers were routinely exposed to radioactivity without adequate protection, he said, and maybe Hunley was dying from that exposure.

It took months for the state to respond to Riggins' warnings. A test of the woman's urine, weeks before she died, produced no evidence that her death was related to her work. Riggins still suspects a connection. And he isn't too surprised to learn that Witherspoon's junkyard has yet to be cleaned up.

"The thing that bothers me," Riggins said, "is that government agencies didn't really want to do anything when (Hunley) was critically ill. I couldn't ever get anywhere with them."

"I thought our government was supposed to be more observant," he said. "I don't understand it."

Witherspoon has agreed to remove the dirt that was contaminated by the radioactive scrap. But there is a problem. There may be pollutants other than radioactivity in the soil. Workers, for example, have recalled seeing giant electric transformers cut open at the scrapyards.

Gallons of black oil — containing polychlorinated biphenyls (PCBs), a cancer-causing chemical once used as an insulator — would be poured over dirt roads that run through the junkyard. The oil would

cut the dust in summer, workers remembered.

"I don't think we've ever proved the existence of PCBs," the state's Mobley said. "But just to make sure, that dirt has to be analyzed for PCBs and any other hazardous substance."

Pollutants in the dirt, said DOE's Wayne Range, govern where the soil will be buried in Oak Ridge.

Witherspoon was told to arrange such an analysis.

Not long ago, however, Witherspoon told DOE officials that he couldn't find a company to do the job. Would the Energy Department analyze the dirt? That created more problems.

"We are not supposed to do work that is available in the private sector," Range said. "We now have to get a (legal) determination as to whether we can do that kind of analysis."

The Energy Department, Range said, "must be assured that there aren't any PCBs or other (hazardous) materials in the dirt."

So the lawyers have it.

Mobley said he still hopes the junkyard will be cleared by January, when he will be able to do what he's wanted to do for a long time: revoke Witherspoon's license to handle radioactive waste.

That will leave an Oak Ridge junkyard as the only one in the state to have such a license. Efforts are under way to revoke that license as well.

And Riggins: He will continue to hold the opinion that Dorothy Hunley died unnecessarily and that governments — federal and state — did too little to help.

"I don't understand why the (Department of Energy) doesn't have more responsibility for all this," the physician said. "They never should have let that (radioactive scrap) out in the first place."

Perhaps, Riggins said, Dorothy Hunley was just trapped. Maybe she was "caught between all these government agencies," the doctor said.

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contract pay McKee Hunt, who resigned from the staff Monday to set up his own consulting firm, \$50,000 for an unspecified length of time.

Craven Crowell, chief information officer for TVA, confirmed that one of White's assistants, Larry O'Donnell, wants to hire Hart to handle publicity in Chattanooga, headquarters for the nuclear program.

"At this point I am neither for nor against the contract," Crowell said today. "I had put a hold on (the contract with Hart) until I have a chance" to discuss the proposal with other officials.

Hart could not be reached for comment. She is a former reporter for the Knoxville News-Sentinel and the Chattanooga Times. Hart also has worked for Knox County Executive Dwight Kessel, First Tennessee Bank and The Arts Council of Knoxville. She also served with the first administration of Knoxville Mayor Kyle Testerman.

Agency spokesman Mike Harris said O'Donnell is a temporary consultant to TVA. With the Senior Policy Association of San Diego, he joined TVA in late April.

At TVA, Harris said, O'Donnell is developing "training films" and other ways to encourage employees to register concerns they have about safety of TVA nuclear plants.

With White's approval, O'Donnell asked to hire Hart to handle publicity for that endeavor. Crowell, who must approve the contract, said he does not know how much Hart would be paid.

Harris said no decision has been made to hire Hart and that the proposal could call for hiring several part-time public relations experts for a "modest retainer." Harris said Hart is one of several possible candidates for the job.

The other contract — with Hunt — was suggested by U.S. Rep. Jim Cooper. Cooper said members of Congress have been dis-

satisfied with the way TVA manages information to the delegation.

But critics say the move will give the retired admiral tighter control over information released to the public and Congress.

White's staff has prepared an agreement with Hunt to handle corporate relations and deal with members of Congress on nuclear matters.

Hunt would receive a maximum of \$50,000, which would be paid by agency ratepayers.

White "felt he needed someone to work with Congress," said TVA board director John B. Waters Jr. "That is taking up a lot of his time. I guess he thinks he needs some help."

The nuclear manager, who has had several battles with TVA's information office over what material should be released to the public and press, was not available for comment.

said, White will limit member information work in TVA's War

"It doesn't surprise me," White said. "There have never been any problems with the policy of releasing TVA."

If TVA and Hurville businessman White says he will information staff and press.

A former reporter in Nashville, Hunt 1978 campaign. Un- signed, Hunt was a governor.

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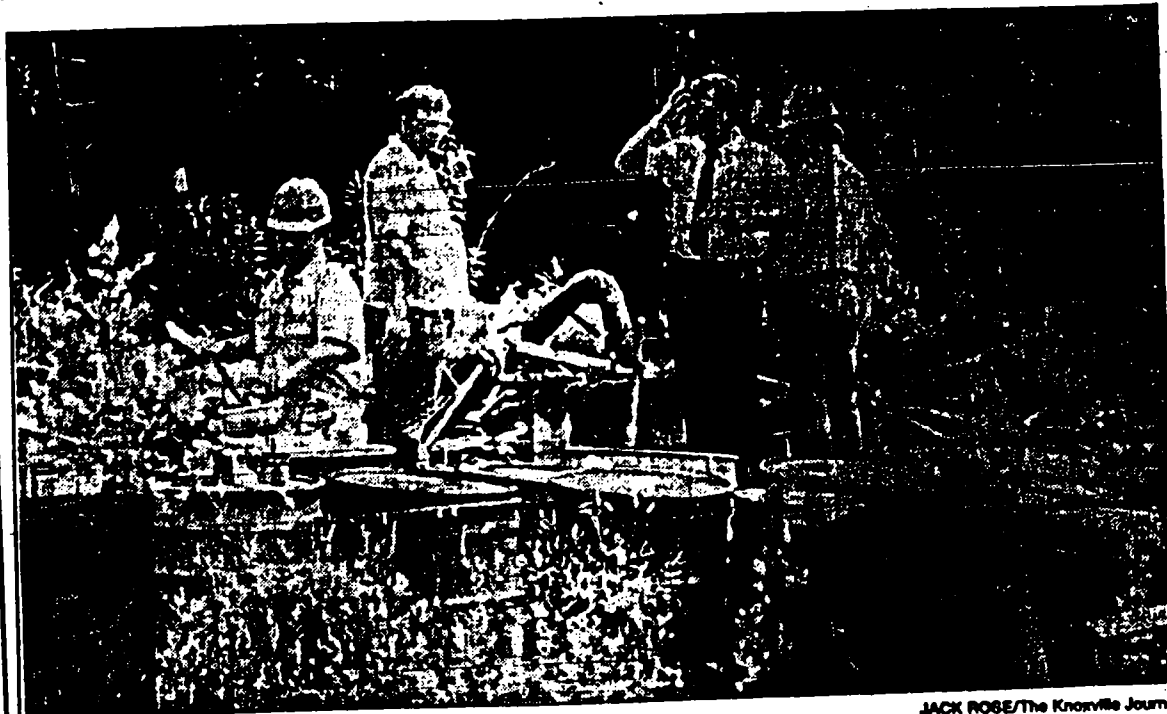
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JACK ROSE/The Knoxville Journal

HOT METAL: Surrounded by barrels and metal scrap, workers and officials Wednesday try to decide how to remove contaminated metal from the David Witherspoon Inc. junkyard in South Knoxville. The metal, tainted with uranium, will be stored at Department of Energy facilities in Oak Ridge.

N-cleanup proves slow going

By TERRY McWILLIAMS

The Knoxville Journal

A large truck filled with junk metal contaminated with radioactivity finally rumbled out of a South Knoxville junkyard Wednesday, but officials say the state-ordered cleanup is going slower than expected.

David Witherspoon Inc., which operates a dump at 901 Old Maryville Pike, began work Tuesday to remove 75 tons of low-level, radioactive uranium-contaminated scrap it obtained from the Department of Energy sometime in the late 1960s.

"It looks like we're not going as fast as we thought," said DOE project engineer Mike Jugan, who is overseeing the

operation.

The Witherspoon workers surveyed the scrap Tuesday and used a crane to put the scrap into piles, separated by the type of metal and the amount of radioactivity, Jugan said. The first truck was filled by late Tuesday, but it wasn't delivered to its final burial ground — at the Department of Energy's Oak Ridge Gaseous Diffusion Plant — until Wednesday morning.

State officials thought the long-awaited cleanup would take only this week, but Jugan said it appeared the operation would stretch through the beginning of next week as well.

As many as five truckloads of contaminated scrap will be hauled out of the junkyard, which is scheduled to lose its

state license to handle radioactive materials by the beginning of next year.

Jugan said workers still have to address the matter of removing the uranium-contaminated dirt which was beneath the scrap.

"There won't be any barrels this week," he said. "We need a lab to analyze the dirt to comply with Department of Transportation shipping regulations and DOE storage regulations in (ORGP's) K-25 building."

The action culminates about six years of state efforts to remove the materials from the junkyard.

Drums of uranium tailings — tiny slivers of radioactive metal — that were being held on the Witherspoon property were removed last year.

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Citizens want nuclear junkyard targeted for federal cleanup

By RANDELL BECK
Journal Reporter

A citizens group wants to add a Knoxville scrapyard, David Witherspoon Inc., to a list of contaminated sites targeted for cleanup under the federal "Superfund" program.

Toward that end, the Tennessee Valley Energy Coalition may include that junkyard as a stop —

along with government plants in Oak Ridge — on a nationwide campaign Friday to convince Congress to increase the Superfund list.

"We'd like to try to get (Witherspoon's scrapyard) on the Superfund," said David Twigg of the coalition, a nonprofit group. "It sounds like that place needs to be."

The junkyard, with its main office at 901 Old Maryville Pike, has bought and sold hundreds of tons of radioactive waste since it received a license in 1966 from the state Division of Radiological Health.

The scrapyard also stored some contaminated metal on a plot of land at 1630 Old Maryville Pike. Much of the waste received by Witherspoon's — from Department

of Energy plants in Oak Ridge, Kentucky, Missouri and Ohio — exceeded standards set by the state.

Despite repeated warnings by state inspectors, more than 100 barrels of radioactive uranium shavings and chips, now mixed with concrete, are still at Witherspoon's junkyard.

Tests over the years have revealed high levels of radioactivity

at the scrapyard.

Witherspoon declined to comment on the findings, however. He said he could not recall what kind of radioactivity his company had received.

To call attention to the scrapyard's problems, Twigg said the energy coalition is considering making Witherspoon's one of two local stops on this week's Campaign Against Toxic Hazards.

In the campaign, citizens groups will take soil samples from sites they contend are candidates for the federal Superfund program, which provides money to clean up areas contaminated by hazardous and radioactive waste.

Radioactivity may not be the

only kind of contamination at Witherspoon's junkyard. State officials said they went to court several times in the 1970s to force the scrap dealer to get rid of waste contaminated with toxic chemicals: ethyl acrylate and methylacrylate.

Former scrapyard workers also recall cutting up electrical transformers to get copper and other

valuable metals inside. Most transformers were filled with oil containing polychlorinated biphenyls (PCBs), an organic chemical that has been shown to cause cancer in laboratory animals.

"There'd be oil all over," said one former worker, Dorothy Jean Hunley, 54. "So we had all that oil saved up. If the roads (inside the scrapyard) got dusty, we'd just pour that oil on the roads, you know, to kill the dust."

Hunley, who was laid off in 1983, recently contracted osteogenic sarcoma, a rare kind of cancer that has been associated with exposure to radiation. Her physician, Dr. Bill Riggins, said he believes the woman's illness is related to her work at Witherspoon's junkyard.

South Knoxville junk firm ready to clean up radioactive dump

By BECKY PURSER
Journal Reporter

Cleanup of radioactive material at a South Knoxville junkyard is expected to begin by the end of the month, a state official said.

"It'll take us some time to work out the details ... but we expect would like to see cleanup begin within two to four weeks," Mike Mobley, state radiological health director, said Tuesday.

The Department of Energy has agreed to dispose of materials contaminated with uranium at the scrapyard of David Witherspoon

Inc., 901 Old Maryville Pike.

Residents near the site have complained to state and DOE officials that the radioactive waste there is causing health problems.

"This has been a problem I've been working to solve with the community there for a long time, and I'm confident it will be resolved," said state Rep. Buddy Scruggs, who has been meeting with residents about waste at the dump.

"I'd like to say cleanup will begin March 15, but I don't want to

public to feel confident that although it may take some time to get everybody together, the waste will be removed."

Before cleanup can begin, lab analyses of waste materials must be completed. DOE has agreed to dispose only of materials containing uranium.

There have been allegations of PCB-contaminated oils being sprayed for dust control at the Witherspoon site. PCB is an organic chemical that has been shown to cause cancer in laboratory animals.

But Mobley said he is confident that material contaminated with

PCB will not be found at the junkyard.

"Earlier surveys have shown the junkyard imposes a very low health risk to residents and workers," Mobley said. "We don't expect to find anything like PCB contamination, and we're getting rid of the uranium waste."

David Witherspoon Jr. will work under state-set deadlines to clean up the waste, ready it for shipping and then transport the waste materials, Mobley said.

It is Witherspoon's responsibility to do this either with his own equipment or with a company hired

through a contract, DOE's spokesman Jim Alexander said.

Once the waste is delivered, DOE will take over, but representatives of DOE and the state will be on the site to direct and aid Witherspoon, Alexander said.

Witherspoon said he could not comment on specifics about costs and the completion date until he receives official confirmation from the state in writing.

"Although I cannot comment at this time because I need to hear from the state, I have talked with officials on the project under way,"

Witherspoon said.

DOE has agreed to dispose of about 100 to 200 55-gallon drums filled with soil slightly contaminated with uranium.

Pieces of metal scrap cover an area about the size of an average backyard, 50 by 50 feet.

An undetermined amount of dirt contaminated with uranium is resting below the contaminated scrap.

After the scrap is hauled away, officials will determine how deep to dig.

TENNESSEE MORNING

Phillips running Dennis Phillips, former Anderson County deputy fired by Sheriff Tom Van Riper, has qualified to oppose Van Riper in the sheriff's race. Phillips, a Democrat, will be on the ballot in the May 6 primary. He worked as an undercover agent and his work led to the federal indictment and subsequent conviction of former Anderson County

Shedding George W. Wether, assistant superintendent, cited, for example, schools such as Giffin and Flenniken in South Knoxville as buildings it may be cheaper to consolidate rather than repair. AB

Clues to woman Investigators in Brick Township, N.J., believe an unidentified woman found there last week may recently have visited welfare

Evans seeks re-election to Knox Commission seat

Incumbent Hassel Evans announced Tuesday he will seek re-election to the Knox County Commission in the May 6 Republican primary.

Evans holds Seat B from the 5th

ity of County Commission committees and was chairman of the education committee for two years.

Meanwhile, incumbent Joe Armstrong qualified for re-election for Seat B from District 1.

A Democrat, Armstrong had



Radioactive metal to leave Knoxville

75 tons of contaminated scrap to be trucked to OR

By TERRY McWILLIAMS

The Knoxville Journal

Seventy-five tons of metal contaminated with radioactivity — scrap which has bothered South Knoxville residents ever since its presence became known — will soon be in a new

Sometime next week, while state regulators watch closely, workers at the David Witherspoon Inc. junkyard, 901 Old Maryville Pike, will begin packing the uranium-contaminated metal onto trucks bound for a Department of Energy site in Oak Ridge.

The action — if it comes off as planned — will eliminate a six-year state effort to get the stuff removed.

"I'm happy they're getting the last of those radioactive materials out," said State Rep. Buddy Scruggs, who pressed state regulators to move faster on cleanup after neighboring residents became concerned about health and safe-

Witherspoon, whose license to store radioactive junk is scheduled to be revoked, himself said little about the operation.

"We're working at it with DOE. That's all I can say," he said. "We're working with DOE on their timetable."

Sometime in the late 1980s, Witherspoon's operation obtained the contaminated scrap metal, as well as several loads of tiny slivers called uranium tailings. Some came from Department of Energy plants in Oak Ridge, DOE facilities elsewhere and places unknown to regulators.

The drums of uranium tailings were disposed of last year, said Bill Freeman, a state health physicist. The metal and uranium-tainted soil are scheduled to be removed over three days to the Oak Ridge Gaseous Diffusion Plant, where some 15,000 tons of contaminated scrap lie.

Freeman will supervise cleanup, said Freeman's boss, Charles West, assistant director of the state's radiological division.

"Our role is just to be there; we don't want to be a double-checker on the people moving it. We're not out there to be a total watchdog," West said.

Although workers will take health precautions such as wearing masks and special cloth-

ing, West said the biggest hazard is from accidentally dropping the large metal parts.

DOE project engineer Mike Jugan said his crew will insure that the radioactive loads meet Department of Transportation regulations for the 30-mile trip.

Once the scrap is at the K-25 plant, DOE will include it in a program to test if it's feasible to wash the contamination off and reuse the scrap somehow. They could melt it down for sale, or even use the scrap to hold high-level waste.

Jugan said the Energy Department wouldn't normally get involved with disposal of private wastes, but some of the uranium wastes came from DOE itself.

Plus, he said, the state asked for help.

"They said, 'we've got a problem in South Knoxville. Can you help us out?' Whatever it costs us, we agreed. Because compared to our total waste management activities, you're looking at 75 tons there versus 80,000 tons (on the Oak Ridge reservation)," Jugan said.

The state had ordered that all the contaminated dirt and scraps be removed by January 1987. In addition, Witherspoon was required to turn in his license as the state's last radioactive junkyard operator.

Barely were Knoxvillians given time to digest the information that catfish in Fort Loudoun lake are contaminated with toxic PCB chemicals from an unknown, probably untraceable source. Now they learn that an open scrap yard in South Knoxville has been accumulating, mishandling and possibly dispersing radioactive materials for decades.

At the same time it is acknowledged that state or federal authorities, or both, were aware of these developments — even continuing to license the scrap dealer to purchase more radioactive junk. And no effort was made to make the public aware of what the public agencies knew was happening. Those agencies were essentially doing nothing to curb the dangers — nothing more forceful than futilely exchanging paperwork between rounds of impotent inspection. Rechecking procedures consumed year after year while producing no result. None.

In the case of the PCBs, the state admitted this week it did not even know for several years what the federally published levels of potential toxicity to humans were. These are state water pollution control experts who are talking. And they are talking about a chemical that has been widely accepted for almost 15 years to be extremely hazardous.

In the case of the radiological scrap heap, federal officials have washed their hands of the whole affair, only revoking a federal permit and relinquishing enforcement to a state agency that had, until long after that decision, no enforcement power other than licensing. Still the state license was maintained without interruption, despite the fact that the yard was consistently found to contain material, carelessly scattered about, being handled routinely by unprotected employees, unguarded from pilferage by any visitor, unaccounted for in any useful records and with radiological properties that exceeded the limits of that license.

The situation at the David Witherspoon Inc. scrap yard on Old Maryville Pike in the Vestal neighborhood went unpublished until Dorothy Hunley, a 12-year Witherspoon employee, contracted a rare form of cancer her doctor believes may be attributable to exposure to radiation from metals she handled in her work.

Conditions that have been

prevalent at Witherspoon's for years, according to Hunley and other employees and to government files, could not possibly have endured in one of the large government or government-contractor installations from which the scrap material was purchased. Witherspoon's is a small, unsophisticated business. Its radiological materials license was issued with apparent total disregard to any regular, frequent monitoring of the requirements for safety that are expected by and enforced on larger licensees — those who have the in-house knowledge and expertise to conduct a safe radiological materials handling operation. That should not be allowed to occur, but it has.

Such questions as how much and what kind of radiological material went through the yard and where it was going went unasked, on any strict and close schedule, by authorities. That's as obvious and as shameful as is the scandal that when the questions were asked, they were allowed to go unanswered without penalty to Witherspoon's.

As it is, it has been left to the workers themselves and to members of the general public to protect themselves from any radiation hazards that might exist from the yard. The employees should demand dust retarding breathing masks and radiation dosimeters, at the least. People in South Knoxville should ask their children if they might have carried off anything from the open facility. Businesses who have used or may be using anything they believe might have been recycled from Witherspoon scrap should arrange to have it tested. Residents along the watershed downhill from the yard should avoid the streams and drainage areas. What else?

It would seem logical to request that the appropriate state or federal government agencies send representatives out to try to measure any suspected radioactivity. But would they? And would they do anything if they found a problem? There is more than ample reason to believe that they would not. That illuminates the larger tragedy, beyond the personal tragedy of Dorothy Hunley.

Yet government action must be taken if the risk is to be substantially alleviated. Only then can some confidence be restored that the public's protective institutions are not utterly reluctant to attempt real, even minimal, protection.

Firm wants reimbursed for disposing of wastes

A South Knoxville company has sued David Witherspoon Jr. in U.S. District Court, seeking \$20,000 for moving barrels of hazardous waste from a small plot of land owned by the scrapyard owner.

The company, Screen Art Inc., rents a building at 1630 Old Maryville Pike in South Knoxville. Witherspoon, who also operates a large junkyard at 901 Old Maryville Pike, owns property behind the building.

Witherspoon has been criticized by state and federal officials for the way he handles junk contaminated with radioactivity. He is under order by the state Department of Health and Environment to clean up the site at 901 Old Maryville Pike.

In the lawsuit filed Friday, attorney Gary Davis contends that Screen Art paid \$60,000 in November 1984 to dispose of hazardous waste it had generated. The firm also got rid of about 35 barrels of waste — toxic metals, polychlorinated biphenyls (PCBs) and plastic residue — that Witherspoon had stored near the Screen Art building.

That waste, the lawsuit contends, "posed a threat to public health and the environment."

Disposing of Witherspoon's waste, the suit contends, cost \$20,000. Screen Art wants to be reimbursed for that expense.

Also named as defendants were David Witherspoon Inc.; ETENN Investment Co., which once owned the land at 1630 Old Maryville Pike; and Charles Rader, president of ETENN.

Of ic'al: rad'oactive 'unkyard of little risk to workers, residents

By PHIL JURIK
Journal Nashville Bureau

NASHVILLE — A radioactive junkyard in South Knoxville poses little — if any — danger to area residents and workers, health officials assured a state lawmaker Wednesday.

And preliminary test results from the urine sample of a former worker who contracted cancer suggest it's highly unlikely her illness was caused by materials she handled, state radiological health director Mike Mobley said.

Still, state Rep. Buddy Scruggs, R-Knoxville, said he was frustrated by the slow progress in clearing away the radioactive junk and would push for a speedy cleanup.

David Witherspoon Inc., Old Maryville Pike, has consistently violated state regulations on radioactivity levels and has shrugged off orders to clear the junk away, state officials said.

State inspectors discovered in 1986 that Witherspoon had received barrels of ribbon-like uranium shavings that he wasn't licensed to handle. Orders to get rid of those were ignored.

With a \$34,800 civil penalty hanging overhead, Witherspoon

now has shown a willingness to clear the junk away, officials said. But even the schedule to this most recent consent order has been violated, they said.

"It's not progressing on the schedule we agreed to," Mobley said. "It's been delayed."

"Mike, in my opinion, five years is long enough," Scruggs responded. "I agree," Mobley said.

"I'm pretty patient, but I think my patience would wear out in five years," Scruggs continued.

"Our patience has worn out," Mobley assured him.

Mobley said the health department's attorneys said the consent agreements with Witherspoon were better than what the state would have gained from pushing its enforcement in hearings.

Scruggs said after the one-hour, 15-minute meeting that he felt comfortable the state was doing all it could, but wasn't pleased with the overall progress.

Scruggs said he had been most concerned about the safety of area residents and workers and had received calls from people worried about contamination after a Knoxville Journal-report detailed Witherspoon's long-running battle with

the state.

"It's really difficult to believe anybody could have gotten any appreciative (radiation) dose from this," Mobley said. "The public exposure to people in the neighborhood ... is low risk. They'd have to come over the fence and dig around in there."

He said the junkyard is more of a risk to state health workers who have to sort out the "mess — a grown-up jungle with scrap pieces in it." The potential airborne radioactive releases during a fire also are a concern, he added.

Mobley said he has received nearly daily calls from railroad officials whose workers have complained of illnesses when laboring near the junkyard.

"There is no risk to their individuals to go in there and hook up a rail car," he said.

Mobley said he wants urine tests on former Witherspoon employee Dorothy Jean Hunley to be certified by the lab before he speaks with certainty, but said the preliminary residual uranium numbers he received this week "were so low, we well below the range that might

See Junkyard, Page 1

Junkyard

From Page A1

even be questionable."

Hunley's doctor had suggested her rare form of cancer might have resulted from exposure to radiation. Mobley said the state has been contacted by other workers and will run tests on them also.

Assured about the health factor, Scruggs said his newest concern was whether Witherspoon will be able to get his lot cleaned up before

the shipping costs become prohibitively expensive.

Those costs are constantly rising and are expected to rise again after Jan. 1. Witherspoon has been presented with an estimate by a private hauler of about \$30,000 to move the uranium shavings, but hasn't yet agreed to the price, Mobley said.

After that, only contaminated dirt and scraps will remain. By January 1987, all of it must be gone and Witherspoon is to surrender his license as the state's last radioactive junkyard operator.

Neighbor blames emphysema on junkyard

By RANDELL BECK
Journal Reporter

Vertia Lambert has an especially good reason for wanting to clean up a South Knoxville junkyard that has handled thousands of tons of radioactive waste since 1966.

Besides working for David Witherspoon since for more than 10 years — she suffers from emphysema — the 66-year-old woman lives next to a plot of land on Old Maryville Pike where much of the contaminated junk was stored.

"I worked in everything that was poison up there (at Witherspoon's). Now I have to

live right by it," Lambert complained, pointing to a fenced-in plot of weeds, brush and scrap next to her home at 1810 Old Maryville Pike.

"I had to leave" Witherspoon's in 1981. "It got to where I just could not breathe anymore," she said.

Doctors have been unable to determine what caused Lambert's emphysema, but she said years of exposure to radioactivity and fine metal dust may have caused her illness.

Another former worker, Dorothy Jean Hunley, 54, contracted a rare kind of cancer early this year — osteogenic sarcoma. Her physician, Dr. Bill Riggins, has said her

cancer may have been a result of exposure to radiation.

Run by David Witherspoon Jr., the junkyard has violated state and federal regulations for most of the 19 years it has been licensed to buy and sell the radioactive scrap.

Witherspoon has declined comment on his operations which, in the past, have been split between the plot next to Lambert and, more recently, an 11-acre field at 901 Old Maryville Pike.

The Knoxville Journal Friday detailed Witherspoon's long battle with the state Division of Radiological Health, which has tried — unsuccessfully — to force the re-

moval of uranium-contaminated metal.

An official with the Tennessee Committee on Occupational Safety and Health (TNCOSH), Ronnie Flynn, he was "appalled and shocked that the state would not and could not do anything" about repeated violations at the junkyard.

"What we need in this state," Flynn said, "are strong regulations with community and labor oversight, money for strong enforcement and punishment to fit the crime."

Much of the contaminated scrap hauled to the scrap yard came from U.S. Department of Energy plants in Oak Ridge, Kentucky, Ohio and Missouri.

A union official in Oak Ridge, where employees must wear protective clothing when handling radioactive material, said working conditions at the junkyard are "pitiful."

"There ought to be criminal charges filed against someone for what's going on there," said Sam Fife, a health and safety representative of the Atomic Trades and Labor Council.

"It's disturbing that these (DOE) plant officials and the state allowed this stuff to get out in that manner," Fife said.

"It's a shame," he said. "I feel so sorry for the workers."

ceremony Wednesday. "Every time we would walk down the street, the people would cheer, like we were national heroes," Langston said. Three Gatlinburg and the two

days buried in the same area. "The deepest find we had was about 6 feet down. I had no doubts they could do it, but I was amazed

hearing rapping on a tin roof buried under 5 feet of rubble. But the existence of a Mameyes survivor, who would have been the only person to

dog teams confirmed possible burial sites, they would flag the spot for later digging by volunteers. Sometimes the spots, a total of

None of the dogs had been trained in body searches. As police
See Dogs, Page A9

someone's board's) ph
Samer's

Cancer claims ex-nuclear scrap worker

By RANDELL BECK
Journal Reporter

The doctor was right on target. Dorothy Jean Hunley, he'd said, would die in a few weeks. She got five.

At 54, Mrs. Hunley died Wednesday night in Baptist Hospital, losing an eight-month battle with osteogenic sarcoma, a rare cancer that invaded her lung, her hips, her brain.

With as much certainty as anyone can have, her physician said Mrs. Hunley may well have contracted the disease through her work at David-Witherspoon Inc. in South Knoxville.

The scrap yard at 901 Old Mary-

ville Pike has long held a state license to buy and sell radioactive junk. Mrs. Hunley was laid off from the scrap yard in 1983, after 12 years.

"I'm not an expert in the field," Dr. Bill Riggins said in September, "but I think her cancer is related to her exposure to radioactivity at work."

State officials ordered urine tests for Mrs. Hunley, found no uranium and decided there was no evidence to link her disease to exposure to the yard's radioactive scrap.

Those same officials are still trying, as they have tried for five years, to get the scrap yard to clean up uranium-contaminated shavings.

The stuff is still there. Witherspoon said he could not recall whether he had radioactive material at his scrap yard.

But Mrs. Hunley told stories about the hazards of working in the "hot field," handling tons of radioactive scrap from Department of Energy plants at Oak Ridge, Missouri, Kentucky and Ohio.

In Vestal this week, near the junkyard, former workers have had still more stories to tell.

The South Knoxville Citizens for a Better Environment held a meeting Tuesday night. About 30 people came to complain about the junkyard, said Linda Sharp, a spokeswoman.

"It's just horrifying what (With-

erspoon's) has had out there," she said. "I was shocked that it could go on and on and on without someone getting that stuff removed."

Which is what the group intends to do. Organizers have passed a petition around in the neighborhood. The petition, appealing to state officials to get the site cleaned up, says the junkyard may threaten the health of residents in the area.

The group wants hazardous and radioactive waste removed from the junkyard. The group wants thorough tests. The group wants some action, Sharp said.

"What really worries me," Sharp said, "is that there is all kinds of activity going on (at the scrap yard)."

Truckloads of dirt have been hauled to another plot of ground, used by the scrap yard, in the 1800 block of Old Maryville Pike. The group wants to ensure contamination is not spreading.

But at 7 p.m. to 9 p.m. tonight, some members of the group will take time out to pay their respects to Dorothy Hunley's family. That will be at Berry Funeral Home, 3704 Chapman Highway.

The funeral service will be 2:30 Saturday at Berry Chapel, burial at Mount Olive Cemetery.

Dorothy Hunley leaves a daughter, Wilma Underwood; a son, Bobby Hunley; and, she was proud to say, eight grandchildren.

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Representatives urged to take action against hazardous chemical problem

WED FEB 7 1990

By LEON STAFFORD
News-Sentinel staff writer

ZONE

Towne Hall South, formed to tackle issues and concerns of South Knoxville and South Knox County residents, is asking for action by Tennessee congressional representatives on what residents say is a hazardous chemical problem.

Members of the group, formed in September, signed a petition protesting the storing of wastes allegedly containing PCBs, a carcinogenic substance, at the David Witherspoon Inc. metal processing plant on Maryville Pike.

The petition, along with a letter of complaint, will be sent to Sens. Albert Gore Jr. and Jim Sasser and to Rep. John S. Duncan Jr.

At the Jan. 29 meeting at South Knoxville Community Center, South Knoxville resident Charlie Underwood said some of the wastes that are in a yard at the plant have been there since 1985.

"Seems like nobody cares about doing anything about it,"

Underwood said. "I would like to see somebody try to get that stuff cleaned up. It's in everybody's neighborhood who lives in South Knoxville."

A door-to-door survey of the neighborhoods near the waste site was considered by the state in 1986, but the idea was scrapped after a health survey of the Vestal community showed cancer deaths in the area were not abnormally high.

The county cannot make Witherspoon remove the waste, said County Commissioner John Mills, who represents South Knox County. It can make a suggestion to the Department of Energy to take care of the problem, Mills said, noting, however, that DOE has not been very forthcoming in that action.

"He (Witherspoon) is burning that stuff late at night when no one is around," Mills said.

"Yeah, you can see the smoke in the morning," Underwood said.

The group also discussed the continual battle to keep people from littering Mead's Quarry. The

South Knox quarry is littered with tires, garbage and other refuse, despite public calls and a campaign vow by Mayor Victor Ashe to keep it clean.

Knox County Sheriff Joe Fowler spoke to the group and assured them that the department was running smoothly, despite recent publicity of a department intake officer selling drugs in the jails.

"I can assure you that you have a good department in the Knox County Sheriff's Department," he said. "If we had more (money), we could do better."

He then added with a laugh, "That's a plug; it's almost budget time."

One resident asked Fowler how the community at large could help the department. Fowler replied, "The best way you can help us is to look out for crime in your area. Be the extended eyes for the Sheriff's Department. Don't be afraid to get involved."

More than 50 people attended the meeting.

Health risk of Witherspoon wastes can't be proved state environment official tells South Knox residents

WED APR 4 1990

By LEON STAFFORD
News-Sentinel staff writer

ZONE

Triple-barreling of PCB-containing wastes on David Witherspoon's property off Candora Road would be a quick, easy beginning to quelling fears of radiation contamination by area residents, a Tennessee Department of Health and Environment official says.

However, when pressed by residents as to why the state has taken no action toward making Witherspoon attain this goal through a commissioner's order, the official, Billy Freeman, said, "I don't know. I don't know is the real answer."

South Knoxville residents, frustrated with government inertia in forcing Witherspoon to remove the wastes that are in violation of health and safety regulations, tried one more time March 28 to get the state to do more than notify Witherspoon about the problem during a meeting of Town Hall South.

Their efforts were fruitless.

"I have the authority to close it down, but I have to prove an imminent health and safety hazard, and I can't prove that here," said Freeman, who is with the Division of Radiological Health. "I know that's uncomfortable to hear. I haven't seen anything that can clearly prove that there is a health risk."

"You don't have to live with the threat of getting cancer," one resident said.

Even the Superfund got in on the action.

Chris Andel, a Superfund employee, said the group plans to do a field review of what has been stored on the property in the

coming weeks, the results of which should be known by August. Superfund is an arm of the state Department of Health and Environment that investigates inactive hazardous waste sites.

"I don't want to speculate on what we'll find," Andel said. "I'll just say we'll do a lot of sampling."

But what will Superfund do if they find hazardous wastes on the property?

Inform him that he is not in compliance with state and federal guidelines, possibly fine him 100 percent of cleanup costs if Superfund has to clean up the property plus a 50 percent penalty, or turn the matter over to the Attorney General's office, Andel said.

The latter statement sent sighs echoing throughout the gymnasium of Mount Olive Elementary School, where the meeting was held.

For years the state has found hazardous wastes on the property and turned the matter over to the attorney general's office for enforcement. However, there has been little done though this method, residents said.

Freeman disagreed. He said most of the hazardous materials, including metal turnings, scrap metals and asbestos, were removed in the early to mid-1980s. Then the removal stopped.

"The biggest bulk of the hazard has been moved," Freeman said. "Witherspoon has taken effort, then he stopped. He probably did 75 percent of the stuff."

"I have to say that the soil on the ground may be of the same or greater potential for contamination (as the barrels)," Freeman said.

To be fair, he said, residents must remember that a lot of what is now hazardous wastes was put on Witherspoon's property by his father, David Witherspoon Sr., in the 1950s and '60s when he owned the company. Some of the metals and other materials to be recycled were stored there before scientists learned of the dangers of PCBs, which have been shown to be a cause of cancer.

Residents nodded but said that doesn't explain the current situation. Since the material has been declared hazardous, why not clean it up, they asked.

Not only are some of the barrels rusting through, but a few of them have fallen over, the resi-

dents said. Alleged earl burnings at the property concern the community.

Said Cliff Honiker, the community will try to stop David Witherspoon.

Freeman said Witherspoon himself is trying to do about the problem and an agency to investigate intentional threat the have for the community.

The group's issues formed a subcommittee to investigate what steps Witherspoon is taking to rid his property of wastes and to impress the district attorney's office to force Witherspoon to

David Witherspoon Inc.

In view of the fact that on the property of David Witherspoon, 901 Old Maryville Pike, there are approximately one hundred and twenty (120) barrels containing soil contaminated with PCB's and uranium and that his property is surrounded by fencing with gaping holes, and is adjacent to Goose Creek and to residential neighborhoods, we demand that David Witherspoon repack the barrels and repair the fencing immediately and stop all burning of waste materials without a permit.

Names:

Addresses:

Charlie E Underwood
 Wilma Underwood
 Barbara Baggett
 Mont. Dills
 Hattie Hensley
 Lora Baggett
 Tammy M. Underwood
 Hugh Cate
 Betty Cate
 Rosa Cate
 Stephanie Stopp
 Billy Underwood
 Lloyd Brady
 Hattie Norris
 John J. Lybore
 Paul Underwood
 Mae Wright
 J. Britton
 Muriel Lane
 J. J. McEachin
 Shirley Hill
 Fred W. Bean
 Jackie Sprakes
 Lora Bell
 Holmes McEachin
 Lish Lane
 Sharon Hillgren
 Cline Cobb
 J. Ann Wright
 Pamela Ann Ray

2100 1/2 Franklin Lane.
 2100 1/2 Franklin Lane
 2133 Franklin Lane
 2133 Franklin Lane
 2133 Franklin Lane
 2133 FRANKLIN Lane
 2100 1/2 Franklin Lane
 2111 Franklin Lane
 2111 Franklin Lane
 2100 Franklin Lane
 1704 South Gould OR
 2100 1/2 Franklin Lane
 610 Lester Rd
 2112 Franklin Lane
 1911 Washington PK.
 7305 Fugate Bend Pk.
 6808 Wilson Dr
 2000 Washington Pike 37917
 1901 Old Maryville Pk 37920
 801 North Lane
 2116 S. Long Rd. 37915
 112 Stewart Dr 37920
 Randlee Road Rfd #10
 R3 Box 416 Maryville
 400 Tennessee Avenue
 4200 Coffey St #8
 112 Birchwell Dr.
 1607 Lewis Rd. Knoxville TN 37920
 1812 old Maryville Pk. Knox
 1812 old Maryville Pk. Knox
 2133 Franklin Lane

PROJECT WITHERSPOON PETITION 2

This is a supplement petition to the "Witherspoon Project" petition.

We the undersigned insist on soil sampling for radioactivity and any toxic or other health-damaging substance in or around the 901 Maryville Pike site owned and/or operated by David Witherspoon, Inc., or any other location named by witnesses (such as the area behind the Charles Rader property).

We insist on a sediment test along Goose Creek, which runs through the Witherspoon complex, and well water testing for toxic, chemical, or radioactive substances at the request of renters or home owners in areas possibly affected.

We also insist on a Health Registry and a Health Survey which we feel will show the presence of toxic and radioactive health-related problems.

NAME SIGNED	NAME PRINTED	STREET ADDRESS, CITY, ZIP	PHONE
Juanita Price	Juanita Price	1725 S. Forest Dr 37926	577-2781
Larry Bledsoe	LARRY BLEDSOE	1721 S FOREST DR 37920	577 2050
Dickie McPherson	Richard McPherson	1717 S Forest Dr 37920	573 556
Jane Wells	JANE Wells	4306 Wells Rd	577 464
Linda Caldwell	LINDA CALDWELL	4404 Wells Rd.	
Robert Rose	Robert T Rose	4406 Wells Rd.	577-3123
Catherine McDaniel	Catherine McDaniel	4406 Wells Rd.	577-3123
Mozelle Wells	Mozelle Wells	4410 Wells Rd	577-6559
Sue Greer	SUE GREER	4411 WELLS RD	573 774
Eva Luedke	Eva Luedke	4411 Wells Rd	"
H.E. Smith		5131 WEBBER Rd	573 284
	HERKIE SMITH		
Robert Garrison	Robert Garrison	5129 Webber Rd	573-438
John Downs	John Downs	5129 Webber Rd	575-438

PROJECT WITHERSPOON PETITION 2

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We the undersigned insist on soil sampling for radioactivity and any toxic or other health-damaging substance in or around the 901 Maryville Pike site owned and/or operated by David Witherspoon, Inc., or any other location named by witnesses (such as the area behind the Charles Rader property).

We insist on a sediment test along Goose Creek, which runs through the Witherspoon complex, and well water testing for toxic, chemical, or radioactive substances at the request of renters or home owners in areas possibly affected.

We also insist on a Health Registry and a Health Survey which we feel will show the presence of toxic and radioactive health-related problems.

NAME SIGNED	NAME PRINTED	STREET ADDRESS, CITY, ZIP	PHONE
Emily Smith	Emily Smith	1704 Woodson Dr. 37906	
Marvin Lowrey	Marvin Lowrey	1704 Woodson Dr.	
Christine Danner	CHRISTINE DANNER	1712 WOODSON DR.	
Mildred Rader	MILDRED RADER	1706 1/2 WOODSON DR.	
Emma Montgomery	Emma Montgomery	1718 Woodson Drive	
Danny Fitts	Danny Fitts	1718 WOODSON DR.	
Cecile Montgomery	Cecile Montgomery	4519 Greely Ford Rd.	
F. Lee Sanders	1804 WOODSON DR.		
Bonita R. Rogers	1801 WOODSON DR.		
Mary R. Rogers	MARY R. ROGERS	1801 Woodson Dr.	
Sandra Cedillo	SANDRA CEDILLO	2020 Thurman Lane	
Sue Merdows	SUE MERDOWS	2012 Thurman Lane	
Anna Fester	Anna Fester	2015 Franklin Ave	
Mary Fester	MARY FEFESTER	2017 Franklin Ave	

PROJECT WITHERSPOON PETITION 2

This is a supplement petition to the "Witherspoon Project" petition.

We the undersigned insist on soil sampling for radioactivity and any toxic or other health-damaging substance in or around the 901 Maryville Pike site owned and/or operated by David Witherspoon, Inc., or any other location named by witnesses (such as the area behind the Charles Rader property).

We insist on a sediment test along Goose Creek, which runs through the Witherspoon complex, and well water testing for toxic, chemical, or radioactive substances at the request of renters or home owners in areas possibly affected.

We also insist on a Health Registry and a Health Survey which we feel will show the presence of toxic and radioactive health-related problems.

NAME SIGNED	NAME PRINTED	STREET ADDRESS, CITY, ZIP	PHONE
Tom Copehard	Tom Copehard	2604 Franklin	573-172
Bill Mathis	Bill Mathis	2008 Franklin Ln	577-7222
Alice Brown	ALICE BROWN	2008 Franklin Ln	577-123
Stella Bean	Stella Bean	2016 Franklin Ln	577-610
Warren Morelock	WARREN MORELOCK	1905 Woodson Dr.	577-431
Barb Neubert	Barb Neubert	2013 Woodson Dr	577-644
Eileen Hraha	Eileen Hraha	2000 Woodson Dr.	573-826
Jim McDonald	Jim McDonald	4815 Deanbrook Rd	577-224
Ella Walker		2276 Belt Road	577-592
Janet Bailey	Janet Bailey	2300 Belt Road	577-046
Nina Russell	Nina Russell	2312 Belt Rd.	573-62
Jack Connor	JACK CONNOR	3009, SAsAtoga Dr.	577-581
Alison Hatching	ALISON HATCHING	3105 German Town Ln	573-760
Barbara McKendry	Barbara McKendry	3101 German town Ln	573-564

PROJECT WITHERSPOON-#2

This is a supplement petition to the "Witherspoon Project" petition which is attached.

We the undersigned insist on soil sampling for radioactivity and any toxic or other health damaging substance in or around the 901 Maryville Pike site owned and/or operated by David Witherspoon Inc. or any other location named by witnesses. (in particular+ behind the Charles Rader property*) We also insist on a sediment test along Goose Creek which runs through the Witherspoon complex and well water testing for toxic, chemical, or radioactive substances at the request of renters or home owners in possibly affected areas.

We also insist on a Health Registry and an Health Survey which we feel will show the presence of toxic and radioactive health related problems.

NAMES

Megan Lee Anna Dailon

Mr Mrs Ralph Dineen

Ron Moore

Larry W. Moore

Barbara J. Balmig

Chris Moore

Sharon Moore

Sherry Vandergriff

Shelly Vandergriff

Dorman Vandergriff Jr.

Judy Schuler

Dawn Bannan

Robert Hill

Hale Hill

Bill ~~Greer~~ Greer

Bruce L. Tingle

Kendrick Smith

Michelle Leigh Smith

Wesley Smith

David Dickerson

ADDRESSES

* on Maryville Pike

4306 Edington Rd.

4310 Edington Rd.

4310 Edington Rd.

4310 Edington Rd.

4310 Edington Rd.

4310 Edington Rd.

4312 Edington Rd.

4312 Edington Rd.

4312 Edington Rd.

4312 Edington Rd.

4308 Edington Rd.

2313 Chestnut St.

625 Fordtown Rd.

1115 Spruce St. Knox, TN

1307 ~~Chestnut~~ St.

4322 Candora Rd.

4317 Candora Rd.

4317 Candora Rd.

4317 Candora Rd.

4322 Candora Rd.

PROJECT: WITHERSPOON

In view of the fact that on the property of David Witherspoon, 901 Old Maryville Pike, there are approximately one hundred and twenty (120) barrels containing soil contaminated with PCB's and uranium and that his property is surrounded by fencing with gaping holes, and is adjacent to Goose Creek and to residential neighborhoods, we demand that David Witherspoon repack the barrels and repair the fencing immediately and stop all burning of waste materials without a permit.

Names:

Donnell Weyhill
Patty
Randall Baker
Hazel Branam
Wanda
Mary Hill
Robert
Mary Jones
Juliet Gibbons
Paul Hill
Ronnie Cate
David Branam

Addresses:

1108 Chestnut St S. Knox Co.
1210 Chestnut St 37920
810 Brampton Way S. Knox Co.
1204 Chestnut Dr. Knoxville 37920
1115 Spruce St. Knox Co.
1204 Chestnut St 379
1215 Spruce Drive
1115 Spruce St.
1316 Maple St.
1206 Chestnut Dr.

In view of the fact that on the property of David Witherspoon, 901 Old Maryville Pike, there are approximately one hundred and twenty (120) barrels containing soil contaminated with PCB's and uranium and that his property is surrounded by fencing with gaping holes, and is adjacent to Goose Creek and to residential neighborhoods, we demand that David Witherspoon repack the barrels and repair the fencing immediately and stop all burning of waste materials without a permit.

Names:

Addresses:

Names:

Charles D. Ives
Shirley M. Hickey
Wm. J. Hickey
Dorell G. Hickey
Edith H. Hickey
Hewins L. Lee
Carol J. Campbell
Harold J. Lee
Edith H. Lee
Eric H. Lee
Beck H. Lee
Gleason H. Lee
Carol H. Lee
Claude E. H. Lee
Becky H. Lee
J. C. Lawrence
Denise H. Lee
Lesa H. Lee
Betty G. W. H. Lee
D. H. H. Lee
Loretta Collins
Debra H. Lee
Eddie H. Lee
Ken H. Lee
Joe H. Lee
Judith H. Lee
Sharon H. Lee

Green Willow

Addresses:

2537 Maryville
4723 Reed Ln. Rt 3 Knoxville 37921
810 Goldfinch St.
14733 Reed Ln. Rt. 3. Knoxville 37929
1409 OLD Maryville PKI
1603 Lewis Lane.
3904 Waverport Rd.
1416 Day Lila Dr.
1243 Maryville Pike
1810 Harris Ln
Box 150 Deadridge, TN
521 Tipton Ave.
1936 Fairwood Ave
137 Barry Rd Knoxville
1100 Maryville, TN
1100 - - -
4530 Holston dr TN 37914
4550 Holston dr TN 37914
1045 Maryville, TN 37920
Rt 2 Smokey View Ets. Maryville
Middle Brook Pk. 3807
4315 Wheeler Ford Rd.
Goldfinch St.
1057 Maryville Pike
Rt 1 Box 103 Knoxville
2300 Bluff Ave #1
Rt. K Box 172 Maryville
Eddie Byrd
153 Moody Ave
Charles C Moore & Drive
3241-A-A-E

Names:

Addresses:

Addresses:

2537 Maryville
4703 Reed Ln. Rt 3 Knoxville 37920
810 Goldfinch St.
14733 Reed Ln. Rt 3. Knoxville 37920
1409 OLD Maryville PKT
1603 Lewis Ave.
3904 Davenport Rd.
1416 Dayling Dr.
1223 Maryville Pike
1810 Harris Ln
Box 150 DeArledge, Tenn
521 TIPTON AVE.
1936 Fairwood Ave
1817 Barry Rd Knoxville
1100 Maryville, TN
1100 -
4530 Holston dr TN 37914
4550 Holston dr TN 37914
1045 Maryville, TN 37920
Rt 2 Smokey View ESts. Maryville
Middle Brook PK 37927
4315 Wheeler Blvd Rd.
Goldfinch St.
1057 Maryville Pike
Rt 1 Box 703 Knoxville
2300 Blumline #1
Rt. 15 Box 172 Maryville
Eddie Byrd
153 Moody Ave
Charles C Moore & Drives
3741-A-A-E

PROJECT: WITHERSPOON

In view of the fact that on the property of David Witherspoon, 901 Old Maryville Pike, there are approximately one hundred and twenty (120) barrels containing soil contaminated with PCB's and uranium and that his property is surrounded by fencing with gaping holes, and is adjacent to Goose Creek and to residential neighborhoods, we demand that David Witherspoon repack the barrels and repair the fencing immediately and stop all burning of waste materials without a permit.

Names:

Jim Sessions
Robert M. Minter
Richard M. Kirk
Mary Beth Ingram
David Massey
John E. Garcia
Phillip Pope
Fran Anderson
Danielia Kirby
Kate Shelton
Suzanna Hemmigan
Lee Sessions
Kate Finkler
Rachel Kuyhan
Cari Martin
Charline Wilson
Alisa A. Weeks
Brenda D. Simmons
Jenny Nickley
Pam France
Janice Murrell
Anita Andrick
Michelle Jones
Jean Marine
Charlatti Seal
Bill Camgear
Rebecca L. Vick
Marjie Cowell
Jackie Duncan
Sue Kyle
Linda Anderson

Addresses:

3117 Foster Lane, Knoxville 37920
3113 Foster Lane, Knoxville 37920
3116 Foster Lane Knoxville 37920
3116 Foster Lane Knoxville 37920
1207 Luttrell St. " 37917
3113 Foster Ln " 37920
110 Greenbriar Dr. K. 37919
3117 Foster Lane Knoxville 37920
3116 Foster Lane Knoxville 37920
3111 Foster Lane Knoxville, TN 37920
1059 Mt. View Dr. 37920
3117 Foster Lane Knoxville, TN 37920
7001 Martin Mill Pk. Knoxville, TN 37920
1059 Mt. View Drive Knoxville 37920
7501 Martin Mill Pk.
7324 Homestead Dr. Knoxville 37920
9178 Garlandton Ct. Knox. 37920
804 Marie Dr. Knoxville 37920
11417 Berryhill Dr. Knoxville 37920
3104 Lee Lane Knoxville 37920
8812 Simpson Rd. Knox., TN. 37920
9113 Colchester Ridge 37920
5417 Maloneyville Rd 37920
South Knoxville 37920
2207 Hillshorn Hts. 37920
2725 Island Home Blvd. 37920
2725 Island Home Blvd. 37920
1103 Orchid Ln. Knox 37912
3416 Service Ave 37920
2619 Copeland St 37917
2700 Island Home Ave. Knoxville, Tenn. 37920

PROJECT: WITHERSPOON

In view of the fact that on the property of David Witherspoon, 901 Old Maryville Pike, there are approximately one hundred and twenty (120) barrels containing soil contaminated with PCB's and uranium and that his property is surrounded by fencing with gaping holes, and is adjacent to Goose Creek and to residential neighborhoods, we demand that David Witherspoon repack the barrels and repair the fencing immediately and stop all burning of waste materials without a permit.

Names:

Addresses:

Elizabeth Westford
Christian Cook Hunter
Black P Van Dyke
Jamie Rachel
Lynette Linder
Mark Linn
Mike Smith
David W. Witherspoon
Nola Yager
Grace Williams
Rosa Eckenrode
Stephen Linn
Jan Pennington
Rob Roy McGregor II
Thom Prassa
Chris Speck
Jodi Cropper
Doug Dingle
Angie McCalland
Stephen A. Spafford
William A. Petty
Kathy Lindquist

Pox 8637 U.T. Station, Knoxville TN 37996
6927 Westminster Rd 37919
309 N. Belkneade 37919
8211 Sturbridge Ln 205 37919
603 W. Waples Ave. TN 302 37919
Rt. 1 Box 28 Blaine 37209
1719 Forest Ave. Knoxville 37916
3700 Sutherland Ave., Apt. W72, Knox 37919
1914 Forest Ave TN 37916
129-B Talbot Court Knox 37920
8116 Eleanor - 2 Knoxville, TN 37917
8314 White Ln Knoxville, TN 37920
1817 White Ave, Knox TN 37916
2117 Andy Holt Ave, Box 503 Knox TN 37911
1817 White Ave, Knox, TN 37916
816 ELEANOR PLAT 2 KNOXVILLE TN 37917-1226
8117 Chestfield Dr - Knox TN 37909
8707-18 Old Colony Tr. KNOX TN 37919
831 Maplehurst, Apt. F Knoxville, TN 37902
3500 Sutherland Ave. Apt F 300 KNOX, TN 37919
8314 White Ave Knoxville, TN 37920
830 Maplehurst Ct Apt 20 Knoxville, TN 37902
2308 Ridgcrest Knoxville TN 37918

PROJECT: WITHERSPOON

In view of the fact that on the property of David Witherspoon, 901 Old Maryville Pike, there are approximately one hundred and twenty (120) barrels containing soil contaminated with PCB's and uranium and that his property is surrounded by fencing with gaping holes, and is adjacent to Goose Creek and to residential neighborhoods, we demand that David Witherspoon repack the barrels and repair the fencing immediately and stop all burning of waste materials without a permit.

Names:

Karen Holt
Judith A. Thomas
Rose Zircallo
Mike Stanger
Peggy Dailor
Kathleen Star
Jessie Matt
Kiki Ogke
Ann Stange
Karen Culpepper
Jamie Webster
Ewen Brooks
Ann Culrod
Ann Plank, Turner
Jessie Blochitz

Addresses:

2647 Buffers Pl Knox 37920
904 S. Chilhowee Dr 379
1020 Oak Ave. East Knoxville
6011 Sunbeam Lane #142 37920
731 McCallum Rd Knoxville 37924
1709 White Pine Cnd Knoxville 37909
400 Watanga Dr Apt 4 Knoxville 37915
229 Gilbert Ln Knox. 37922
307 E. Lake Forest Dr Knox 37922
3700 Sutherland Ave. M-11 Knoxville TN 37919
Rt. 2 Box 125 Washburn TN. 37888
7501 Martin Mill Pike, Knox 379
"
2015 Ford Lane Knoxville 37920
4637 Freund St Knoxville TN 3796

PROJECT WITHERSPOON-#2

This is a supplement petition to the "Witherspoon Project" petition which is attached.

We the undersigned insist on soil sampling for radioactivity and any toxic or other health damaging substance in or around the 901 Maryville Pike site owned and/or operated by David Witherspoon Inc. or any other location named by witnesses. (in particular- behind the Charles Rader property*) We also insist on a sediment test along Goose Creek which runs through the Witherspoon complex and well water testing for toxic, chemical, or radioactive substances at the request of renters or home owners in possibly affected areas.

We also insist on a Health Registry and an Health Survey which we feel will show the presence of toxic and radioactive health related problems.

NAMES	ADDRESSES	* on Maryville Pike
Lora Fox	1216 Chestnut Dr.	
Kristy Lindsey	4322 Candora Rd	
Belle Jean Jones	1301 Spruce Dr 37920	
John Jones	4306 Winfred	
Mary Fox	4306 Winfred St 37920	
Irving Fox	4306 Winfred St 37920	
Vicki Fox	4306 Winfred St 37920	
Debra Clowers	1200 Hickory St 37920	
Glenn Houser	1124 Hickory St 37920	
Ruth Houser	1124 Hickory St 37920	
Mrs Leta Taylor	116 Hickory St 37920	
Lily Houser	4108 Hickory Rd.	
Lorraine LaFollette	1106 Hickory St 37920	
Herbert M Daniel	1106 Hickory St 37920	
Steven Hancock	4304 Winford 37920	
Richard Hancock	4304 Winford 37920	
Lisa Douge	1108 Hickory Rd.	
E.H. Hodges	1106 Hickory Rd	
Vicki S. Nichols	4301 Candora Ave Apt 4	
Annette Beach	1100 Hickory St	
Helen Allen	4204 Candora Rd.	
William Ramsey Sr.	1109 Repass Dr	
William Ramsey Jr.	1109 Repass Dr	
Jennie Grant	4314 Edington Rd	
Mary J. Foster	4306 Edington Rd	
Mary Foster	4306 Edington Rd	
Donnie Benson	4306 Edington Rd	
Bradley W. Denton	4306 Edington Rd	

In view of the fact that on the property of David Witherspoon, 901 Old Maryville Pike, there are approximately one hundred and twenty (120) barrels containing soil contaminated with PCB's and uranium and that his property is surrounded by fencing with gaping holes, and is adjacent to Goose Creek and to residential neighborhoods, we demand that David Witherspoon repack the barrels and repair the fencing immediately and stop all burning of waste materials without a permit. *Signature*

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PROJECT WITHERSPOON PETITION 2

This is a supplement petition to the "Witherspoon Project" petition.

We the undersigned insist on soil sampling for radioactivity and any toxic or other health-damaging substance in or around the 901 Maryville Pike site owned and/or operated by David Witherspoon, Inc., or any other location named by witnesses (such as the area behind the Charles Rader property).

We insist on a sediment test along Goose Creek, which runs through the Witherspoon complex, and well water testing for toxic, chemical, or radioactive substances at the request of renters or home owners in areas possibly affected.

We also insist on a Health Registry and a Health Survey which we feel will show the presence of toxic and radioactive health-related problems.

NAME SIGNED	NAME PRINTED	ADDRESS	PHONE
<i>Valeria M. Peters</i>	Valeria M. Peters	1905 Kemper Lane	577-2579
<i>William W. Peters</i>	William W. Peters	1905 Kemper Lane	577-2579
<i>J. W. Kappes</i>	J. W. Kappes	1901 Kemper Lane	573-5717
<i>Diane Kappes</i>	Diane Kappes	1901 KEMPER LN.	573-5717
<i>Robert P. Thomas</i>	ROBERT P. THOMAS	2005 KEMPER LN.	573-4601
<i>Eddie Moran M.D.</i>	EDDIE MORAN	265 Highway 47	577-396
<i>Gretchen Linge</i>	GRETCHEN LINGE	2009 Kemper LA.	577-311
<i>C. H. Shelton</i>	C. H. SHELTON	1904 KEMPER	577-2579
<i>Joyce Condry</i>	Joyce Condry	2017 Walnut Hills Dr	573-111

PROJECT WITHERSPOON PETITION 2

This is a supplement petition to the "Witherspoon Project" petition.

We the undersigned insist on soil sampling for radioactivity and any toxic or other health-damaging substance in or around the 901 Maryville Pike site owned and/or operated by David Witherspoon, Inc., or any other location named by witnesses (such as the area behind the Charles Rader property).

We insist on a sediment test along Goose Creek, which runs through the Witherspoon complex, and well water testing for toxic, chemical, or radioactive substances at the request of renters or home owners in areas possibly affected.

We also insist on a Health Registry and a Health Survey which we feel will show the presence of toxic and radioactive health-related problems.

NAME SIGNED	NAME PRINTED	ADDRESS	PHONE
<i>Charlotte Linge</i>	Charlotte Linge	2009 Kemper	573-2543
<i>Nettie Logan</i>	Nettie Logan	2004 Kemper Ln	573-5351
<i>John P. Brock, Jr.</i>	JOHN P. BROCK, JR.	2012 Kemper Ln	577-7153
<i>OTIS STEPHENS</i>	OTIS STEPHENS	2021 Kemper Ln	573-4883
<i>MARY STEPHENS</i>	MARY STEPHENS	2021 Kemper Ln	573-4883
<i>CARL A. PIERCE</i>	CARL A. PIERCE	2013 Kemper Ln	577-8480
<i>Selma Lundy</i>	Selma Lundy	2001 Kemper Ln	573-2795
<i>Tanya Haire</i>	TANYA HAIRE	2507 J.R. Dr.	691-6403
<i>Lela Buchanan</i>	Lela Buchanan	4400 Thayer Rd	573-8218
<i>George Buchanan</i>	George Buchanan	4410 Thayer Rd	577-8218
<i>Lynn Hutton</i>	LYNN HUTTON	4301 GREELEY Ford Rd	577-770
<i>Allen Atchley</i>	Allen Atchley	1825 Maryville PK	523-3307
<i>Rachel Goble</i>	Rachel Goble	1912 Kemper Ln	577-1123
<i>Carolyn Linge</i>	Carolyn Linge	2009 Kemper Ln	573-254

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PROJECT WITHERSPOON PETITION 2

This is a supplement petition to the "Witherspoon Project" petition.

We the undersigned insist on soil sampling for radioactivity and any toxic or other health-damaging substance in or around the 901 Maryville Pike site owned and/or operated by David Witherspoon, Inc., or any other location named by witnesses (such as the area behind the Charles Rader property).

We insist on a sediment test along Goose Creek, which runs through the Witherspoon complex, and well water testing for toxic, chemical, or radioactive substances at the request of rentors or home owners in areas possibly affected.

We also insist on a Health Registry and a Health Survey which we feel will show the presence of toxic and radioactive health-related problems.

NAME SIGNED	NAME PRINTED	STREET ADDRESS, CITY, ZIP	PHONE
<i>John Buchler</i>	John Buchler	5301 Great Meadows ³⁷⁹²⁰	513-2909
<i>Mitchell B. Reed</i>	Mitchell B. Reed	3221 Great Meadows 37920	579-4212
<i>Timothy Lawrence</i>	TIMOTHY S. LAWRENCE	3225 Great Meadows 37920	579-4201
<i>Ann Brown</i>	ANN BROWN	2525 Smallwood Drive ³⁷⁹²⁰	--
<i>Judith A. Johnson</i>	Judith A. Johnson	5200 Wiley Ln 37920	--
<i>Pat Randolph</i>	Pat Randolph	3302 South Circle	573-1023
<i>Christopher L. Ideker</i>	CHRISTOPHER L. IDEKER	3321 SOUTH CIRCLE	513-6313
<i>Greg C. Snyder</i>	GREG C. SNYDER	5307 Jonathan Way	577-6678
<i>Ed Smith</i>	ED SMITH	900 Loghaven Rd 37920	573-9044
<i>Bob Robinson</i>	Bob Robinson	1003 Loghaven Rd	577-4887

PROJECT WITHERSPOON PETITION 2

This is a supplement petition to the "Witherspoon Project" petition.

We the undersigned insist on soil sampling for radioactivity and any toxic or other health-damaging substance in or around the 901 Maryville Pike site owned and/or operated by David Witherspoon, Inc., or any other location named by witnesses (such as the area behind the Charles Rader property).

We insist on a sediment test along Goose Creek, which runs through the Witherspoon complex, and well water testing for toxic, chemical, or radioactive substances at the request of rentors or home owners in areas possibly affected.

We also insist on a Health Registry and a Health Survey which we feel will show the presence of toxic and radioactive health-related problems.

NAME SIGNED	NAME PRINTED	STREET ADDRESS, CITY, ZIP	PHONE
Katie Shelton	Katie Shelton	3232 Bunker Hill Dr	577-8261
Regina Odom	Regina Odom	3301 Bunker Hill	
Mary O. Chambers	MARY O. CHAMBERS	3304 " " Rd.	577-1521
Elizabeth V. Fryer	Elizabeth V. Fryer	3312 Bunker Hill Rd.	577-2272
C. G. Doss	C. G. Doss	3305 MT. VERNON DR.	577-7451
Paul Threlkeld	PAUL THRELKELD	3215 Mt. Vernon Dr.	577-1211
Delmer R. Carpenter	DELMER R. CARPENTER	3307 SARATOGA DR	573-2521
Dorothy Clift	Dorothy Clift	3208 SARATOGA Dr.	577-9411
Gregory Reed	GREGORY REED	5105 TRENTON Rd	577-4971
Stephen L. Anthony	STEPHEN L. ANTHONY	5104 CUSTIS LN	573-3561
Susan Miller	Susan Miller	5104 Custis Ln	573-3561
John T. Sexton III	JOHN T. SEXTON III	3312 MT VERNON DRIVE	573-7621
Jim Rowland	Jim Rowland	3312 Mt. Vernon Dr.	573-7621

PROJECT WITHERSPOON PETITION 2

This is a supplement petition to the "Witherspoon Project" petition.

We the undersigned insist on soil sampling for radioactivity and any toxic or other health-damaging substance in or around the 901 Maryville Pike site owned and/or operated by David Witherspoon, Inc., or any other location named by witnesses (such as the area behind the Charles Rader property).

We insist on a sediment test along Goose Creek, which runs through the Witherspoon complex, and well water testing for toxic, chemical, or radioactive substances at the request of renters or home owners in areas possibly affected.

We also insist on a Health Registry and a Health Survey which we feel will show the presence of toxic and radioactive health-related problems.

NAME SIGNED	NAME PRINTED	ADDRESS	PHONE
<u>Valeria M. Peters</u>	<u>Valeria M. Peters</u>	<u>1905 Kemper Lane</u>	<u>577-2579</u>
<u>William W. Peters</u>	<u>William W. Peters</u>	<u>1905 Kemper Lane</u>	<u>577-2579</u>
<u>J. W. Kappes</u>	<u>J. W. Kappes</u>	<u>1901 Kemper Lane</u>	<u>573-5717</u>
<u>Diane Kappes</u>	<u>Diane Kappes</u>	<u>1901 KEMPER LN.</u>	<u>573-5717</u>
<u>Robert P. Thomas</u>	<u>ROBERT P. THOMAS</u>	<u>2205 Kemper Ln</u>	<u>579-4601</u>
<u>Eddie Moran, M.D.</u>	<u>EDDIE MORAN</u>	<u>265 Highwood Ct</u>	<u>577-3962</u>
<u>Gretchen Linge</u>	<u>GRETCHEN LINGE</u>	<u>2009 Kemper LA.</u>	<u>577-3916</u>
<u>C. H. Shelton</u>	<u>C. H. SHELTON</u>	<u>1904 KEMPER</u>	<u>577-2579</u>
<u>Joyce Condry</u>	<u>Joyce Condry</u>	<u>2017 Walnut Hills Dr</u>	<u>573-1111</u>
<u>Polly Murphy</u>	<u>Polly Murphy</u>	<u>314 Foster Ln Knoxville</u>	<u>577-5866</u>

PROJECT WITHERSPOON PETITION 2

This is a supplement petition to the "Witherspoon Project" petition.

We the undersigned insist on soil sampling for radioactivity and any toxic or other health-damaging substance in or around the 901 Maryville Pike site owned and/or operated by David Witherspoon, Inc., or any other location named by witnesses (such as the area behind the Charles Rader property).

We insist on a sediment test along Goose Creek, which runs through the Witherspoon complex, and well water testing for toxic, chemical, or radioactive substances at the request of renters or home owners in areas possibly affected.

We also insist on a Health Registry and a Health Survey which we feel will show the presence of toxic and radioactive health-related problems.

NAME SIGNED	NAME PRINTED	STREET ADDRESS, CITY, ZIP	PHONE
1. Betty L Morgan	Betty L Morgan	4319 Wells Rd, Knoxville ³⁷⁹⁰²	579-1806
2. Debbie S. Morgan	Debbie S Morgan	4319 Wells Rd, Knoxville ³⁷⁹⁰²	579-1806
3. Jerry L. Stepp	Jerry L. Stepp	1704 S. Forest Dr.	573-2528
4. William H. Maples	William H. Maples	1704 S. Forest Dr.	573-3004
5. Steven C. Ford	Steven C. Ford	1713 S. Forest Dr.	573-1615
6. DOROTHY HANNAH	DOROTHY HANNAH	4417 Melrose Dr.	577-0017
7. Alta M. Huffaker	Alta M. Huffaker	1901 Southdale Rd	573-3279
8. Gilbert Johnson	GILBERT JOHNSON	1905 Southdale Rd	577-6377
9. Carlotta Johnson	Carlotta Johnson	1905 Southdale Rd	577-4377
10. D. Roberts	D. Roberts	1901 Southdale Rd	577-6377
11. Darrell Glisson	DARRELL GLISSON	1913 Southdale Rd.	577-8507
12. Pauline B. Barnett	PAULINE B. BARNETT	1934 Southdale Rd.	537-3485
13. Margaret J. Madden	MARGARET J. MADDEN	1920 Southdale Rd.	577-8772
14. Mae C. Wilkerson	Mae C. Wilkerson	1916 Southdale Dr	573-4673

PROJECT WITHERSPOON PETITION 2

This is a supplement petition to the "Witherspoon Project" petition.

We the undersigned insist on soil sampling for radioactivity and any toxic or other health-damaging substance in or around the 901 Maryville Pike site owned and/or operated by David Witherspoon, Inc., or any other location named by witnesses (such as the area behind the Charles Rader property).

We insist on a sediment test along Goose Creek, which runs through the Witherspoon complex, and well water testing for toxic, chemical, or radioactive substances at the request of renters or home owners in areas possibly affected.

We also insist on a Health Registry and a Health Survey which we feel will show the presence of toxic and radioactive health-related problems.

NAME SIGNED	NAME PRINTED	STREET ADDRESS, CITY, ZIP	PHONE
Bobby L Morgan	Bobby L Morgan	4319 Wells Rd. ³⁷⁹⁰² KNOX	579-1801
Debbie S. Morgan	Debbie S Morgan	4319 Wells Rd, Knoxville ³⁷⁹²²	579-1801
Jerry L. Stepp	Jerry L. Stepp	1704 S. Forest Dr.	573-2522
William H. Napier	William H. Napier	1740 S. Forest Dr.	573-3044
Steen C. Ford	Steen C. Ford	1713 S. Forest Dr.	573-1611
Brenda L. Hannah	BRENDA HANNAH	4417 Witherspoon Creek	577-2041
Alta M. Huffer	ALTA M. HUFFER	1901 Southdale Rd	573-3279
Gilbert Johnson	GILBERT JOHNSON	1905 Southdale Rd	577-6377
Carlotta Johnson	Carlotta Johnson	1905 Southdale Rd.	577-6377
~~0538 Roberts~~	~~0538 Roberts~~	~~1901 Southdale Rd~~	~~577-6377~~
Darnell G. Glisson	DARNELL G. GLISSON	1913 Southdale Rd.	577-8807
Pauline B. Burnett	PAULINE B. BURNETT	1934 Southdale Rd.	577-3483
Margaret L. Madden	MARGARET L. MADDEN	1920 Southdale Rd.	577-2872
Mae C. Diller	Mae C. Diller	1916 Southdale Dr	573-4672

PROJECT WITHERSPOON PETITION 2

This is a supplement petition to the "Witherspoon Project" petition.

We the undersigned insist on soil sampling for radioactivity and any toxic or other health-damaging substance in or around the 901 Maryville Pike site owned and/or operated by David Witherspoon, Inc., or any other location named by witnesses (such as the area behind the Charles Rader property):

We insist on a sediment test along Goose Creek, which runs through the Witherspoon complex, and well water testing for toxic, chemical, or radioactive substances at the request of renters or home owners in areas possibly affected.

We also insist on a Health Registry and a Health Survey which we feel will show the presence of toxic and radioactive health-related problems.

NAME SIGNED	NAME PRINTED	ADDRESS	PHONE
<u>Frank Mitchell</u>	<u>Frank Mitchell</u>	<u>5411 Timbercrest Tr</u>	<u>584 5957</u>
<u>Walter L. Harper</u>	<u>Walter L. Harper</u>	<u>2308 Ridgcrest Dr</u>	<u>688-5424</u>
<u>Kathy Lindquist</u>	<u>Kathy Lindquist</u>	<u>2308 Ridgcrest Dr</u>	<u>688-5424</u>
<u>Steve Scarbrough</u>	<u>STEVE SCARBROUGH</u>	<u>1715 WASHINGTON PK.</u>	<u>525-4647</u>
<u>Jackie Scarbrough</u>	<u>JACKIE SCARBROUGH</u>	<u>"</u>	<u>"</u>
<u>Linda Smith</u>	<u>Linda Smith</u>	<u>6510 Archer Ln</u>	<u>688-0661</u>
<u>Marta Velasco</u>	<u>128 Taliwa Ct.</u>	<u>Knoxville TN</u>	<u>37920 632-1900</u>
<u>Bill Proctor</u>	<u>Bill Proctor</u>	<u>Carrage Hill Apt #62</u>	
<u>Mary K. McKinnon</u>	<u>Mary K. McKinnon</u>	<u>1612 Southshire</u>	<u>966-5261</u>
<u>Henry E. Jordan</u>	<u>HENRY E. JORDAN</u>	<u>238 CARRAGE VIEW</u>	<u>457-651</u>
<u>Catherine H. Jordan</u>	<u>Catherine H. Jordan</u>	<u>705 Banbury Rd., Knoxville, TN</u>	<u>37912 675-377</u>
<u>Michael Jordan</u>	<u>MICHAEL JORDAN</u>	<u>705 BANBURY RD.</u>	<u>675-37</u>

PROJECT WITHERSPOON PETITION 2

This is a supplement petition to the "Witherspoon Project" petition.

We the undersigned insist on soil sampling for radioactivity and any toxic or other health-damaging substance in or around the 901 Maryville Pike site owned and/or operated by David Witherspoon, Inc., or any other location named by witnesses (such as the area behind the Charles Rader property).

We insist on a sediment test along Goose Creek, which runs through the Witherspoon complex, and well water testing for toxic, chemical, or radioactive substances at the request of renters or home owners in areas possibly affected.

We also insist on a Health Registry and a Health Survey which we feel will show the presence of toxic and radioactive health-related problems.

[illegible]

PROJECT WITHERSPOON PETITION 2

This is a supplement petition to the "Witherspoon Project" petition.

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[illegible]

PROJECT WITHERSPOON PETITION 2

This is a supplement petition to the "Witherspoon Project" petition:

We the undersigned insist on soil sampling for radioactivity and any toxic or other health-damaging substance in or around the 901 Maryville Pike site owned and/or operated by David Witherspoon, Inc., or any other location named by witnesses (such as the area behind the Charles Rader property):

We insist on a sediment test along Goose Creek, which runs through the Witherspoon complex, and well water testing for toxic, chemical, or radioactive substances at the request of renters or home owners in areas possibly affected.

We also insist on a Health Registry and a Health Survey which we feel will show the presence of toxic and radioactive health-related problems.

NAME SIGNED

NAME PRINTED

ADDRESS

PHONE

Shannon Cooper Shanna Cooper 4201 Candora Rd

James Menish James Menish 206 Piner Place

Calvin Cooper Calvin Cooper 4201 Candora Rd 577-37

Charlotte Owen CHARLOTTE OWEN 4105 Candora Rd. 577-1318

DAVID E OWEN 4103 Candora Ave 579-192

STEVE McABEE 4200 CANDORA AVE

Rebecca Allen Rebecca Allen 2326 Belt Rd.

Jacqueline S. McAbbe Jacqueline S. McAbbe 4200 Candora Ave 579-1921

TIMOTHY C. ALLEN 2326 BELT RD. KNOXVILLE

Thomas B Foster 1004 Repass Dr. Knoxville

Kathleen D Foster 1006 Repass Dr Knoxville 573-11

Mr & Mrs John Crawford 4309 Candora Rd. Knoxville

Mr & Mrs Jack W. Wright 4306 Candora Rd

Robert Gibson 221 Main St. Foster Hotel East Chucky

Mr & Mrs Brent Russell 922 Valley Dr

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PROJECT WITHERSPOON PETITION 2

This is a supplement petition to the "Witherspoon Project" petition.

We the undersigned insist on soil sampling for radioactivity and any toxic or other health-damaging substance in or around the 901 Maryville Pike site owned and/or operated by David Witherspoon, Inc., or any other location named by witnesses (such as the area behind the Charles Rader property).

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NAME SIGNED	NAME PRINTED	ADDRESS	PHONE
Dorinda Lee	DENISE LEE	4301 CANDORA DR #1	573-076
Mary Thomas	MARY THOMAS	4301 CANDORA DR #1	573-076
Annette Leach	ANNETTE LEACH	1100 HICKORY ST	579-57
E. H. Hodgins	E. H. HODGINS	1106 HICKORY ST	
Herk + Martha McDaniel	HERK + MARTHA MCDANIEL	1108 1/2 HICKORY ST	577-716
Shene Hunchley	SHENE HUNDLEY	1114 HICKORY ST	
Ruth Gbuser	RUTH HOSEER	1124 HICKORY ST	
Jellie Cutsaw	JELLIE CUTSAW	1119 HICKORY DR STREET	
BETH HAM	BETH HAM	1119 HICKORY DR STREET	
T Mr and Mrs Lester Taylor	MR AND MRS LESTER TAYLOR	1115 HICKORY ST	573-332
Mr. and Mrs. Claude Patrick	MR. AND MRS. CLAUDE PATRICK	1107 HICKORY ST	579-5452
Ernest L Sweet Jr.	ERNEST L SWEET JR.	4205 CANDORA RD	573-7688
Frank + Cathy Heerell	FRANK + CATY HEERELL	1643 REAGAN DR Blount County	
Ernest + Brenda Sweet	ERNEST + BRENDA SWEET	4205 CANDORA RD KNOX	573-7688
David Sweet	DAVID SWEET	4205 CANDORA RD KNOX	573-7688

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PROJECT WITHERSPOON PETITION 2

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NAME SIGNED	NAME PRINTED	STREET ADDRESS, CITY, ZIP	PHONE
C.W. Miller	C.W. Miller	2522 Fern Dr.	577-1244
J.E. Matheny	J.E. MATHENY	2524 JERSON DR	577-640
Howard Johnson	Howard Johnson	2904 Smallwood Dr.	573-7471
Ruthie Johnson	Ruthie Johnson	2904 Smallwood Dr	573-7471
Landon Johnson	GORDON JOHNSON	3124 MALONEY RD	577-5821
Betty Johnson	Betty Johnson	3124 Maloney Rd	577-5821
Allice M. Sharp	Allice M. Sharp	2912 Smallwood Dr.	577-5861
Robert H. Sharp	Robert H. Sharp	" " "	"
John I. Sewell	John I. Sewell	215 13th St.	574-5191
MARTHA S. McNabb	MARTHA S. McNabb	3009 Thunderoga Ln	573-2401
Liz Elliott	Liz Elliott	3001 Thunderoga Ln	577-948
D. Hunsucker	D. HUNSUCKER	3113 SARATOGA DR	573-6553
Robert L. Rederick	Robert L. Rederick	3308 Valley Forge Dr.	577-1372
Judy L. Reynolds	Judy L. Reynolds	3212 Ruanoke Cr.	579-3229

PROJECT WITHERSPOON PETITION 2

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NAME SIGNED	NAME PRINTED	STREET ADDRESS, CITY, ZIP	PHONE
Mark Medley	Mark Medley	4309 Wells Rd. ^{TN 37920} Knoxville	(615) 573-1655
H.H. Jackson	H.H. Jackson	1700 Kemper Rd	522-172
Betty Turner	BETTY TURNER	1704 Kemper	
Jean Towey	Jean Towey	1716 Kemper Ln.	
Bruce E. Whitehead	BRUCE E. WHITEHEAD	1717 KEMPER LN	573-9145
Louise Whitehead	LOUISE WHITEHEAD	1717 Kemper LN	573-9145
Henrietta Cole	HENRIETTA COLE	1709 Kemper Lane	579-146
Ethel Allen Ritchie	ETHEL ALLEN RITCHIE	1701 Kemper Lane	573-482
Charlie Watson	CHARLIE WATSON	Wells Rd.	577-40
Danny W. Crisp	DANNY W. CRISP	4305 Wells Rd	577-894
JoNetta Taylor	JoNetta Taylor	4317 Wells Rd	523-187
Pat McLeod	PAT McLEOD	2532 SHALER LANE	573-328
Star Suneason	STAR SUNEASON	2528 Shaler Lane	523-5291
Pat Carey	PAT CAREY	2520 LEGION DR. 37920	573 9245

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M. 11

NAME SIGNED	NAME PRINTED	STREET ADDRESS, CITY, ZIP	PHONE
Julianne N. Prevost	Julianne N. Prevost	1114 Vernon Kille 37920	
Carl E. Back	Carl E. Back	1414 Beach #1a 33162	900446
Helen P. Peden	Helen Peden	5105 S. Costa Dr.	
Frank E. Hollander	FRANK E. HOLLAND	3200 SARATOGA DR. CHANDLER	37920
Leon Wilson Jr	Leon M. Wilson Jr.	300 Valley Forge Dr.	57920
Don Wright	Don Wright	3200 Valley Forge Dr.	57920
Weg Stone	WEG STONE	6004 POTOMAC DR.	573-925
Leslie Hefner	Leslie Hefner	5200 Wiley Ln.	573-3540
Kyle Hefner	Kyle Hefner	4313 Greeley Ford Rd	625-35
Don Wright	DON WRIGHT	536 A-AVE.	577-720
Pat Cunningham	PAT CUNNINGHAM	1212 DAYLILY Dr. Apt. 164	
Linda Holbrook	Linda Holbrook	3208 S. Circle	577-8353
Liz Harb	Liz Harb	3300 South Circle	573-514
Margaret S Harb	Margaret S Harb	3300 South Ch.	573-514

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NAME SIGNED	NAME PRINTED	STREET ADDRESS, CITY, ZIP	PHONE
M E Loy	MARY LOY	Smallwood Dr Kt, TN 37120	577-6266
Calvin G. Lewis	CALVIN G. LEWIS	3000 Tinsdale Dr Kt, TN 37120	573-2994
Curtis Kennedy	Curtis Kennedy	4207 Sevierville Plk	573-8626
Parke Brown	PARKE BROWN	5184 SAMBRIDGE RD	577-0881
Bill C. Wallace	BILL C. WALLACE	3108 Serotage Dr.	577-5716
DAVID ENAN	DAVID ENAN	3217 Roanoke Circle	856-3806
Shirley Bright	Shirley BRIGHT	1709 So Hills Dr	573-8977
Perry Bright	Perry BRIGHT	1709 So Hills Dr.	573-8979
Paul Drinnen	PAUL DRINNEN	1713 South Hills Dr.	577-2873
WM R CASH	WM R CASH	1721 South Hills Dr	577-6115
John L. Sexton	John L. Sexton	1725 S. Hills Dr.	573-4887
George Kronbach	GEORGE KRONBACH	1905 South Hills Dr.	573-9205
Edna M. Shepherd	EDNA M. SHEPHERD	1805 South Hills DR	577-6382
FC Barmen		1800 S. Hills	

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NAME SIGNED	NAME PRINTED	STREET ADDRESS, CITY, ZIP	PHONE
Mrs. D. N. Clark	Mrs. D. N. CLARK	1720 LAVENDALE CIRCLE	577-8862
Mrs. Shirley Berry	MRS. Shirley BERRY	2328 Mt. Olive Road	577-6100
Ligh Ann Berry	Leigh ANN BERRY	2328 Mt. Olive Road	577-6100
Jeffrey Bryan Berry	JEFFREY BRYAN BERRY	2328 Mt. Olive Road	577-6100
Mrs. Georgia R. Berry	MRS. GEORGIA R. BERRY	2332 Mt. Olive Road	577-6103
Mr. Bill Harper	MR. Bill HARPER	2316 Mt. Olive Road	577-3721
Mrs. Martha Harper	MRS. MARTHA HARPER	2316 Mt. Olive Road	577-3721
Brenda Black	BRENDA BLACK	1716 LAVENDALE CIR.	579-3533
Debbie Black	DEBBIE BLACK	319 HIALEAH DR # 37	573-7584
Tom C. Black	TOM C. BLACK	1716 LAVENDALE Circle	579-3533
Sydney Lawson		1701 Lavendale Circle	
Clara Mount		173 Lavendale Circle	577-2741
Mark D. Beck	MARK BECKER	1717 Lavendale Circle	573-4311
Nancy M. Casland	NANCY McCasland	1720 S. Hills Dr.	573-6301
William R. Bell	WILLIAM R. BELL	1716 S. HILLS DR	577-1283
Joyce L. Newton	Joyce L. Newton	1700 S. Hills, Dr.	573-2812
Tom Ripper	Rebecca Ripper	1906 Woodson Dr	577-4610
Barbara Ripper		1906 Woodson Dr	577-4610

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NAME SIGNED	NAME PRINTED	STREET ADDRESS, CITY, ZIP	PHONE
Betty Cate	Betty Cate	2111 Franklin Lane 37120	577-4661
Thugh Cate	HUGH CATE	2111 Franklin Ln	577-4661
Betty A Williams	Betty A Williams	2133 Franklin Lane	573-8544
Bud Davis	Bud DAVIS	1909 Woodson Dr.	
Alice Wardrop	Alice Wardrop	2537 Shaler Lane ^{Knox TN 37920}	
Patrick Keller	PATRICK L. KELLER	2511 Shaler Lane	
Gay Keller	Gay Keller	2511 Shaler Ln	
Karen Dabir	KAREN DABIR	1210 Forest Ave	523-477
Harriet I. Baumert	Harriet I. Baumert	2516 Shaler Lane	
Marjorie Kratz	Marjorie Kratz	2511 Shaler Lane	577-4774
Richard B. Gable	RICHARD B. GABLE	2517 Legion Ln	
Pearl Hatcher	Pearl Hatcher	2517 Legion Ln	
Mary J. Brannan	Mary Brannan	2519 Legion Dr.	577-64
Dorothy Line			

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NAME SIGNED	NAME PRINTED	STREET ADDRESS, CITY, ZIP	PHONE
Mark Pedigo	MARK PEDIGO	1709 Woodson Dr. 37920	577-1584
Martha Pedigo	MARTHA PEDIGO	1709 Woodson Dr 37920	577-1534
Mike Morday	CAROLYN LANE 37920		577-163
Russell Huber	Carolyn Lane		
Catherine Huber	" "		
Rick Hutchison	" " "		
Richard P. Gilliam	2009 Carolyn	~~2009~~ RICHARD Gilliam	577-720
George E. Turner	George E. Turner	1414 Woodson Dr.	577-121
Paul S. Turner	Paul S. Turner	" " "	" "
C.W. Cross Jr.	C.W. Cross	1725 Woodson Dr.	577-276
Ruth K. Cross	Ruth K. Cross	1725 Woodson Dr	577-2767
Mary Doss	MARY DOSS	2008 Thurman	
Van Harrison	Van Harrison	2000 Franklin Dr	573-288
Marie Capeland	MARIE Capeland	2004 FRANKLIN Ln	577-677

PROJECT. WITHERSPOON PETITION 2

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NAME SIGNED	NAME PRINTED	STREET ADDRESS, CITY, ZIP	PHONE
~~David Hansule~~	DAVE HANSULE	5012 DEANBROOK ^{KNOX} TN	37920
Robert B. Lantz	ROBERT B. LANTZ	2917 DEANVILLE DR. ^{KNOX} TN	37920
Bernice Shanks	BERNICE D. SHANKS	3105 Great Meadow Dr	37920
Lib Neff	Lib Neff	5201 Yorktown Rd	577-5752
Francine Marshall	Francine Marshall	2905 Saratoga Cir.	37920
~~Charles C. Hatcher~~	Charles C HATCHER	2901 Saratoga Cir.	32920
Marilyn V. Yarbrough	MARILYN V. YARBROUGH	4809 DEANBROOK Rd.	37920
Ray DePue	RAY DePue	2600 Woodson DR	525-1172
Dawn Stiver	Dawn Stiver	4607 Appleby	unlisted
Ray Swaggett	Ray Swaggett	4625 Appleby Rd	579-0812
~~Leslie M. Bare Jr~~	LESLIE M. BARE JR	4717 Appleby Rd	577-1896
Geoffrey R. Gryder	Geoffrey R Gryder	4721 Appleby Rd	577-252
Bambi Nicklen	Bambi Nicklen	2411 Woodson Dr.	579-3500
Brad Zucroff	BRAD ZUCROFF	2411 WOODSON DR	579-3500

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NAME SIGNED	NAME PRINTED	STREET ADDRESS, CITY, ZIP	PHONE
<i>Jerry Laker</i>			
<i>Ken Everett</i>	Ken Everett	2135 Belt Rd Knoxville	579-592
<i>Tina Everett</i>	Tina Everett	2135 Belt Rd Knoxville	579-592
<i>Darrell Hammett</i>	DARRELL HAMMETT	5108 O'Dell Rd	577-423
<i>Mrs Eugene B Brown</i>	EUGENE B. BROWN	5109 O'DELL DR	577-883
<i>Chris W. Dunch</i>	5201 O'Dell Dr	Knox TN	579-329
<i>David Hurst</i>	DAVID HURST	5208 O'Dell rd	577-280
<i>Audrey Hurst</i>	Audrey Hurst	5208 O'Dell Rd Knoxville	577-280
<i>Linda Wolfenbarger</i>	Linda Wolfenbarger	2500 Regime Drive	
<i>Mari Field</i>	MARI FIELD	PO. Box 486 Maynardville	992-370
<i>Melba Madden</i>	Melba Madden	5136 Webber Rd, Knxo.	577-856
<i>Floy Blanton</i>	Floy Blanton	2509 Elliott Rd Knox	573-124
<i>Joyce Price</i>	Joyce PRICE	5105 Webber Rd.	573-37
<i>Cindy Madden</i>	Cindy Madden	5120 Webber Rd	579 194

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NAME SIGNED	NAME PRINTED	STREET ADDRESS, CITY, ZIP	PHONE
1. Scott Cardwell	Scott Cardwell	600 Taylor Knox	579-4820
2. Doris Triplett	Doris Triplett	5212 John Hall Rd	573-1884
3. Crissy Davis	Crissy Davis	5220 John Hall Rd	573-1254
4. Becky Laugherty	Becky Laugherty	5233 John Hall Rd	579-5000
5. Robert Ramsey	Robert Ramsey	5232 John Hall Rd.	632-5722
6. Barry Abbott	Barry Abbott	5240 John Hall Rd	-
7. Pat Norton	PAT HORTON	2009 BELT RD.	573-5122
8. Steve Horton	STEVE HORTON	2009 Belt Rd.	573-5122
9. Kay Todd	Kay Todd	2013 Belt Rd.	579-0571
10. Mike Todd	MIKE TODD	2013 BELT RD.	579-0571
11. Pat Wilder	PAT WILDER	2126 Belt Rd	577-5688
12. Mary Smith		2126 Belt Rd.	577-5688
13. Mabel Franklin		2126 Belt Rd	577-5688
14. Jane Workman	Jane Workman	2128 BELT RD	577-5688

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NAME SIGNED	NAME PRINTED	ADDRESS	PHONE
Deana Holden	Deana Holden	4315 Candor Rd	573-9693
Ed L. Holden	EDD L. HOLDEN	4315 CANDOR RD.	573-9693
Fran Ansley	FRAN ANSLEY	3117 Foster Ln	573-0651
Lee Sessions	Lee Sessions	3117 Foster Lane	573-0651
John Gaven	John GAVEN	3113 " "	577-3241
Mary English	MARY ENGLISH	810 Oak Grove	581-2147
Thomas Schumpert	Thomas H Schumpert	3805 Essary Dr	37918

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Gore, residents to discuss what to do about dump

SAT JUN 9 1990

By BETSY KAUFFMAN
News-Sentinel staff writer

Two Knoxville groups have attracted Sen. Albert Gore Jr.'s attention with their efforts to determine the possible health effects of a toxic waste dump in South Knoxville on the community.

Gore will be at the Mary Vestal Park in South Knoxville June 16 to talk with residents and members of Town Hall South and the Center for Global Sustainability about toxic and radioactive waste on property owned by David Witherspoon Inc., Gore spokeswoman Marla Romash said. "The senator is very, very committed to environmental awareness and environmental protection," Romash said.

The meeting with Gore will follow a walk-a-thon the two groups are holding to try to raise money for testing wells for toxic and radioactive contamination and possibly for conducting a door-to-door health registry in the Vestal community, John Nolt with the Center for Global Sustainability said.

State officials have identified radioactive and toxic waste on at least two Witherspoon sites on

Old Maryville Pike. Although they have known for several years the sites were contaminated with low levels of radiation and PCBs, or polychlorinated biphenyls, investigators in April discovered an unknown quantity of possibly hazardous waste at a Witherspoon landfill closed in 1972.

Residents of the community around the properties are worried the waste may have contaminated their drinking wells and is affecting their health, Nolt said.

Although they have sympathized with the community, state health officials say they don't have the money to test the wells and that the neighborhood population is too small for an epidemiological survey, Nolt said.

State officials, Nolt said, are "doing all they can" but "what they can do is not enough."

The health registry, which would require a door-to-door survey of households surrounding the contaminated sites, will cost about \$6,000, Nolt said. Cost of the well testing ranges from \$25 to \$200 per water sample "depending on what we test for," he said.

Holt Indicted on Murder Charge

JUN 26 1973

James C. Holt was indicted by the Knox County Grand Jury yesterday on a charge of murder in the May 16 fatal shooting of Virgil Lee Warren.

Mr. Warren, 27, of Hawkins Lane, Powell, was shot once in the chest at his home. Holt, 22, who lived at the same address, told Knox County deputies he was "horsing around" with a .38-caliber revolver when it went off.

The jury also indicted David Witherspoon Inc., 1630 Maryville Pike, on five charges of violating pollution regulations.

Other indictments:

POSSESSING METHARBITAL—Charles Windell Talbert and Cronyn Derek Mack.

FORGERY—Robert Austin Harris (three cases), James Elbert Barlow and Paul W. Carnes.

FELONIOUS ASSAULT—Richard Allan Hackle (two cases), John Alexander Little (two cases), Charles William Minshew, Arnold Hugh Smith and John David Houk.

Grand jury reports do not include the addresses of the persons indicted or exonerated. There may be other persons with similar names, living at different addresses—but The News-Sentinel can only print the names as given in the jury reports.

ASSAULT AND BATTERY—John David Houk, James Stillford Stotts, Jerry Lynn Warwick, Kenneth Carl Loveday, CARRYING WEAPON—Jerry Lynn Warwick.

ROBBERY—Richard Allan Hackle (two cases), John Alexander Little (two cases), Arnold Hugh Smith (two cases) and Charles William Minshew (two cases).

BURGLARY—Michael Vernard Arnette, Charles Edward Thompson (two cases) and James Stillford Stotts.

ATTEMPTED BURGLARY AND CARRYING BURGLARY TOOLS—Roger Davis.

LARCENY, TEMPORARY USE—Terry Wayne Painter, Scott David Webb, and Steve Gary Gentry.

LARCENY—Charles Edward Thompson (five cases), Johnny Lee (two cases) and Lawton Pelham (two cases).

RECEIVING AND CONCEALING STOLEN PROPERTY—Robert William Gravitt.

VIOLATING BAD CHECK LAW—Loy G. Janeway.

NOT TRUE BILLS

Exonerated by not true bills: DRUNKEN DRIVING—James Robert King and Joe Roland Ealy.

LEAVING SCENE OF ACCIDENT—Rayford Gann.

ATTEMPTED BURGLARY—William Dale Lane.

ROBBERY—Herman Sherry Hester.

tel, Sunday, June 17, 1990 • B5

SUN JUN 17 1990 Vestal residents hear 'good news'

Saturday's scorching sun and steaming humidity failed to discourage Vestal residents who patiently waited for Sen. Albert Gore Jr.'s "good news."

The senator, speaking at Mary Vestal Park, said the federal Environmental Protection Agency would be in the South Knoxville County community to reinforce state efforts concerning the testing of hazardous waste sites in their neighborhood.

Gore said that within two weeks the EPA would locate a "full regiment" to evaluate possible health hazards that may be caused by a scrap-metal recycling firm in the Vestal area.

In a press release, Gore said he supports state efforts to prosecute David Witherspoon Inc., a firm many South Knoxville residents blame for the distribution of PCBs and radioactive contaminants.

The locally based Center for Global Containability sponsored the visit along with Town Hall South.

Gore also attended the Truman Day Dinner Saturday at the Knoxville Convention Center, where Gov. Ned McWherter was keynote speaker.

Officials suspect toxic waste at new S. Knox site

By BETSY KAUFFMAN
News-Sentinel staff writer

FRI MAY 18 1990

hazardous waste

State investigators have "stumbled across" yet another South Knoxville site which they suspect has toxic and radioactive wastes buried on it, a state investigator said Thursday.

Dan Hawkins with the state Superfund division, said the wooded site adjacent to a closed Candora Avenue landfill appears to contain chemical solvents, radioactive waste and old electrical generating equipment.

Last month investigators discovered several crushed barrels apparently filled with toxic waste at the landfill, which was closed as a public health hazard in 1973.

Officials have been trying to determine the extent of the contamination at the landfill and came across the latest site Friday, Hawkins said.

Trees growing in the dump appear to be "20 or 25 years old," and evidence indicates "there's been considerable earthwork there."

Although the site hasn't been excavated yet, Hawkins said, preliminary tests have indicated radiation levels in the area are three times normal background levels and investigators have "detected solvent-like smells."

"The odor was actually coming out of a hole so

Please see WASTE, page A6

Waste

Continued from page A1

we may not even be down to the materials yet," Hawkins said.

The find is the latest development in a battle between David Witherspoon Inc., the owner of the landfill, and state officials who have been trying to get the company to clean up its old waste storage sites.

In the 1960s Witherspoon was licensed to handle uranium-clad scrap metal which wound up contaminating several acres of land.

Earlier this month the company received a summons to answer a complaint the state Department of Health and Environment filed last month in Da-

vidson County Chancery Court asking that Witherspoon be forced to comply with a 1985 cleanup order for about 200 barrels of soil contaminated with radiation and PCBs at the company's main location at 901 Old Maryville Pike.

The company has 30 days to respond to the complaint, which also asks that Witherspoon pay a \$50,000 non-compliance fine.

Although the latest site is being investigated as an extension of the landfill, Hawkins said investigators aren't certain the property belongs to Witherspoon and will have to check county records to find the owner.

Property owners, as well as the owners of the waste disposed on the site, may be held responsible for cleanup costs, he said.

Preliminary tests conducted on samples of soil, waste and water from the site should be complete in the next four to six weeks, Hawkins said.

Witherspoon Fined \$300

FEB 25 1992

Sessions Court Judge Andrew Evans yesterday fined David Witherspoon Sr., chairman of the board of David Witherspoon Inc., a total of \$300 on six charges of open burning at his operation on Maryville Pike near Woodson Drive.

Mr. Witherspoon was fined \$50 on each of the charges, which cover Nov. 24-29.

Martin Johnson, director of Knox County Air Pollution Control Department, testified he charged Mr. Witherspoon with the offenses on seven days beginning last Nov. 2. He also filed another charge on Feb. 16. Mr. Johnson said the burning was at a landfill which Mr. Witherspoon operates to handle refuse from UT.

On Feb. 10, Judge Evans dismissed one of the November cases, holding that mere ownership of property is not sufficient evidence to prove a violation. Several persons who live near the landfill testified yesterday about the open burning.

Mr. Witherspoon testified that Mr. Johnson demanded the key to the gate of his business, but he refused to give it to him.

David Witherspoon Jr., 26, of 804 Coventry Rd., president of the company, testified that he was in charge of operations at the site and after he was notified of the complaint by company personnel, he tried vainly to put the fire out.

He had to wait for heavy equipment from Monroe and Blount counties before he could extinguish the blaze. He said the company was unable to rent equipment needed in Knoxville.

The younger Witherspoon said it cost the company more than \$4070, including rental of equipment, to extinguish the fire.

DOE considering accepting S. Knox wastes

FRI JUN 15 1990

By FRANK MUNGER
News-Sentinel Oak Ridge bureau

OAK RIDGE — Based on an inquiry from Sen. Jim Sasser, the U.S. Department of Energy apparently is reconsidering its previous refusal to accept controversial wastes from Witherspoon Inc., a South Knoxville scrap metal processor.

Witherspoon is under order from the state to clean up the site, but the company's president, David Witherspoon Jr., said the single legally acceptable place to send the wastes — containing radioactive materials mixed with PCBs — is DOE's Oak Ridge reservation.

Sasser sent a letter May 18 to James B. Tapper, a deputy assistant secretary at DOE, in which he asked

the agency to address the issues raised by Witherspoon, who "feels that DOE is responsible for the problem which they originally caused him."

Sasser wrote, "He obviously wants to handle this matter appropriately, but it is costing him a considerable expense at this point. I will appreciate your looking into the matters raised by Mr. Witherspoon, being as helpful as possible to his concerns."

DOE spokeswoman Danielle Jones said the federal agency is developing a response. Jones said, "At this point, the only thing I can say is we're still discussing it."

The Witherspoon scrap operation has been under fire for years because of radioactive contamination at the site. Residents in the Vestal commu-

nity are planning a "Walk Against Toxic Waste in Your Back Yard" this weekend to raise money for health studies. Sen. Albert Gore Jr. is expected to address the group Saturday afternoon in Mary Vestal Park.

Witherspoon said the wastes in question are remnants of scrap metal the company acquired from DOE's predecessor agency — the Atomic Energy Commission — during the 1960s and '70s. According to Witherspoon, the government never relinquished title to them.

There is some question about the origin of the materials — apparently because of the presence of PCBs (polychlorinated biphenyls), a suspected carcinogen.

A few years ago, after discussions with state environmental officers,

DOE accepted from Witherspoon 27 truckloads of scrap metal contaminated with low levels of radioactivity. The feds balked, however, at taking waste with PCBs, reportedly contending that Witherspoon was responsible for mixing the different wastes.

The classification of mixed waste — containing both hazardous and radioactive substances — is a difficult one to handle. Currently, there are no landfills in the United States licensed to accept mixed waste.

The Department of Energy, however, is expected to begin operating an incinerator later this year capable of burning PCB-contaminated wastes bearing traces of radioactivity. The incinerator at the K-25 plant in Oak Ridge is undergoing final tests.

Newport Sues Knox Firm Over Waste Disposal

NEWPORT, Tenn. (AP) — The city of Newport has filed a \$500,000 Circuit Court lawsuit against a Knoxville firm alleging breach of contract in the handling of solid waste here.

The suit accuses David Witherspoon Inc., of Knoxville, of defaulting on a contract to remove solid waste from the city dump near here. The firm's agreement with the city extended through 1977. The city owns its garbage collection equipment and Witherspoon operated the vehicles in picking up household and industrial refuse.

City Recorder Gene Raymond said the city would take over solid waste collection and disposal.

Knox Firm Ordered To Close Dump Site

News-Sentinel Nashville Bureau

The State Department of Public Health has ordered a Knoxville firm to close its waste dumping site by May 1 to prevent further pollution.

A joint order from the department's division of sanitation and solid waste, and the division of water quality control, today directed David Witherspoon Inc. to cease using a site near its operations for waste disposal.

Deadline set for N-scrap removal

by TOM HUMPHREY

News-Sentinel Nashville bureau

NASHVILLE — The state will move to enforce a \$50,000 fine against a Knoxville junkyard if barrels of radioactive scrap are not removed by Oct. 12, officials have told Rep. Paul "Buddy" Scruggs.

Scruggs, R-Knoxville, said today he will personally appeal to the junkyard's owner and attorneys to speed up the removal.

Michael Mobley, director of the state Division of Radiological Health, and Dr. Fredia Wadley, chief state medical officer, assured Scruggs Wednesday that the radioactive materials on hand at the David Witherspoon Inc. junkyard on Old Maryville Pike pose no serious health hazard to residents of the area in its present condition.

"They'd have to climb over the fence and dig around" to be ex-

posed to any appreciable amount of radiation, Mobley said.

As for reports that people have become sick after venturing near barrels of the scrap radioactive material, Wadley said, "I just see that as not possible" considering the low level of radioactivity. The material would have to be inhaled or ingested to cause a health risk, she said.

Preliminary results of a urine test, administered to a woman living in the area who has a form of cancer sometimes associated with radiation, showed no indication of exposure to radioactivity, Mobley said.

The most immediate concern is over barrels of uranium "tailings," which Mobley described as tiny ribbons of contaminated metal. Witherspoon apparently received the material several years ago.

The junkyard has lost records showing where the material came

from, but it likely was from the Department of Energy or a Defense Department contractor, Mobley said. Since he was not licensed to handle such waste, Witherspoon simply kept it on the junkyard site although he should have sent it back to the shipper immediately, Mobley said.

State inspectors first discovered the material in 1980 and have been trying to get it cleaned up since then.

The barrels of tailings have recently been encased in concrete and Witherspoon has negotiated with a firm for shipping the material to a permanent storage site, Mobley said, but has balked at the quoted \$20,000 price.

A May 7 deadline for removal of the barrels was set in a consent order that the state and Witherspoon negotiated earlier this year. The new Oct. 12 deadline was estab-

lished in a letter from a state attorney to Witherspoon's lawyer earlier this month.

The consent order also calls for Witherspoon to remove slightly radioactive dirt from another site by January 1986 and remove all other radioactive scrap and surrender his license to handle such materials by Jan. 7, 1987. Witherspoon's junkyard is the only one in the state licensed to deal with scrap uranium.

The order provides that expenses Witherspoon incurs in having the materials removed can be deducted from any civil fine he eventually may be required to pay.

Scruggs said the state had "technically acted in good faith" in trying to have the material cleaned up but he was a "little bit disappointed" action had not been taken sooner.

"Five years is going a bit too long," he said.

Witherspoon Firm Fined Over Uranium Wastes

OCT 1 1983

by DAVID LYONS

News-Sentinel Nashville correspondent

NASHVILLE — A Knoxville company has been fined \$50,000 for illegally possessing uranium waste that is stored in barrels and is contaminating the soil at the company's Old Maryville Pike property, state officials said Friday.

David Witherspoon Inc., a scrap metal company on Old Maryville Pike, was fined by Jim Word, commissioner of Public Health and Environment, and ordered to dispose of the uranium tailings. He also must remove the contaminated soil.

Eddie Nanney of the state's Radiological Health Division said Witherspoon has a license to store low-level radioactive metal, but he also has 30 barrels of uranium tailings which his license does not allow him to accumulate.

The barrels of tailings are open, Nanney said. Rainwater accumulates in the barrels

and spills onto the surrounding soil, Nanney said, causing its contamination.

Nanney said routine inspections and radioactive readings from the Witherspoon site indicate the uranium is emitting low levels of radioactivity but is not dangerous unless it is handled directly. "You shouldn't handle it without proper equipment," he said.

Nanney said there may be some contamination of groundwater. The state Department of Public Health and Environment has not conducted water sample surveys.

Witherspoon agreed in 1982 to dispose of the uranium but has failed to meet the timetable for disposal. Friday's stricter order and fine is an effort to force him to dispose of the metal, Nanney said.

Nanney said the department does not know the origin of the uranium. "We had the Department of Energy at Oak Ridge run some tests on it and they said it wasn't used at Oak Ridge," Nanney said. Witherspoon has 30 days to appeal the commissioner's order.

State Brings Pressure

JUL 13 1983

Vestal Dump Area Closing Ordered

David A. Witherspoon Jr., president of David A. Witherspoon Inc., has been ordered by Chancellor Len Broughton Jr. to have a controversial landfill on Maryville Pike closed and completely covered by Aug. 1.

Mr. Witherspoon had been ordered to appear in court today to show cause why he should not be held in contempt of court by failing to comply with an April 6 court order to close the landfill.

City Dump 'Opened Late
In testimony today, Mr. With-

erspoons' attorney said it had been "agreed in previous court sessions that barrels containing chemical waste should be moved from the landfill to a new city dump on Rutledge Pike. He said it was understood the city facility was to open May 1. He said it opened July 1.

Mr. Witherspoon said he had contacted the city and officials there had "put me off." His attorney said that this morning attendants in charge of the new city dump told Mr. Witherspoon he could start delivering the barrels Monday.

The contempt petition had been brought by Dr. Eugene W. Fowinkle, state public health commissioner. He charged that Mr. Witherspoon had failed to submit plans for closing the dump and had failed to remove the barrels.

Plans Called Faulty

A State Health Department spokesman testified today that two sets of plans submitted by Mr. Witherspoon for closing the dump were inadequate, mainly as to the method of placing the earth cover.

After the hearing, Mr. Witherspoon and his attorney agreed to sit down immediately with Health Department officials to work out a plan for closing the dump.

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by TOM HUMPHREY

News-Sentinel Nashville bureau

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"Five years is going a bit too long," he said.

Witherspoon Acquitted in Burning Cases

Criminal Court Judge Richard R. Ford Monday ordered directed verdicts of acquittal in six air pollution cases against David Witherspoon Sr., chairman of the board of David Witherspoon Inc.

Judge Ford ruled that the corporation, and not Mr. Witherspoon, leased the land on which the alleged open burning law violations occurred, and Mr. Witherspoon could not be held responsible.

The six cases were appeals from General Sessions Court, which heard the cases in 1972 and fined Mr. Witherspoon \$50 on each of the six counts.

The charges arose from alleged violations of the state open burning law at the Witherspoon plant on Maryville Pike in July 1972.

In opening arguments, Judge Ford overruled a motion by Defense Attorney Frank Flynn Sr. that Knox County's air pollution regulations were unconstitutional.

The Witherspoon firm has been indicted on five other counts of violating the open burning law. Mr. Witherspoon is not named individually as a defendant in these cases, which are scheduled to be heard in Criminal Court Oct. 23.

Firm Cited in Landfill Case

Chancellor Len G. Broughton Jr. today issued an order to David Witherspoon Inc. and David A. Witherspoon Jr. to appear before him April 6 to show cause why they should not be required to close a disposal site on Maryville Pike.

His order was in response to a complaint by the Tennessee Department of Health that the Witherspoon firm at 901 Maryville Pike is maintaining a public nuisance through its landfill on Maryville Pike between Kingsley Station and Mt. Olive.

The chancellor also ordered the firm to show cause why it should not remove certain barrels containing chemicals from the site, and submit for approval to the State Health Department plans for closure of the site on or before March 30.

The Department of Health says it issued an order and complaint to the Witherspoon firm Jan. 25 and it was delivered Jan. 30.

The firm was given 30 days to appeal. The department says it has not appealed or complied with regulations and is in default.

A major complaint against the firm is that its landfill permits toxic wastes to flow into Flenniken Branch and hence into Ft. Loudoun Lake.

JUL 9 1986

Radioactive metal, dirt to be moved

Department of Energy officials will oversee the removal of about 75 tons of radioactive metal and more than 200 barrels of uranium-contaminated dirt from South Knoxville to a site in Oak Ridge early this week.

A specific date for the move from David Witherspoon Inc. metal processing yard had not been set Saturday, said DOE project manager Mike Jugan.

He said the DOE and other state officials still must work out the final details of the move with David A. Witherspoon Jr., owner of the plant on Old Maryville Pike.

Jugan said the contaminated scrap may have been sitting at the metal processing yard for about nine years.

Witherspoon could not be reached for comment Saturday.

Before moving the radioactive material to the Oak Ridge Gaseous Diffusion Plant, known as the K-25 plant, radiation surveys will be taken on the metal and some air sampling will be done, Jugan said.

After moving the tainted scrap, workers will check "to see if any of the contamination that was on the metal has fallen on the ground," he said. "We will be taking some of the surface dirt away."

Jugan said he was unsure of the origin of the metal because records showing where the material came from have been lost by the metal processing plant. However, it is possible that the DOE plant in Oak Ridge was the source of some of the metal, he said.

State inspectors discovered the material in 1980 and have been trying to get it cleaned up since then.

JUL 12 1973

Arrests Ordered in Open Burning Case

Session Court Judge Earl Layman yesterday ordered the arrest of the general manager and vice president of David Witherspoon Inc., 901 Maryville Pike, and for David Witherspoon, on charges of open burning.

Judge Layman issued attachments for the arrests after the cases were passed several times. A hearing on the charges was reset for Aug. 27.

AUG 13 1974

State says S. Knox landfill may make Superfund list

FRI APR 27 1990

By BETSY KAUFFMAN
News-Sentinel staff writer

A South Knoxville landfill, closed as a public health hazard in 1973, may wind up on the national priority Superfund list, a state Superfund investigator said Thursday.

This comes just days after the state filed suit in Nashville against the owner of the landfill, Witherspoon Inc., to force it to clean up a storage site on Old Maryville Pike. The state also is seeking a \$50,000 fine.

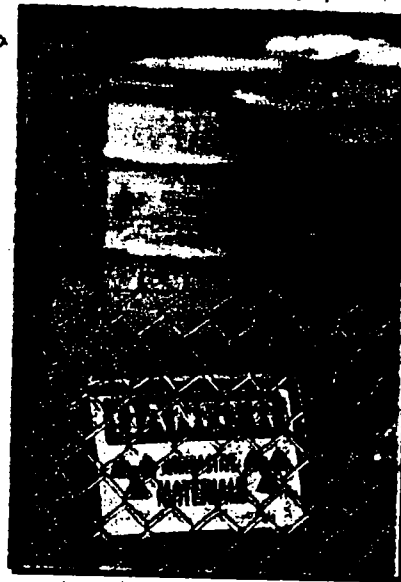
Dan Hawkins said investigators on Wednesday discovered the landfill, located at 1630 Old

Maryville Pike, contains an undetermined amount of hazardous and toxic waste, including radioactive materials, radioactive soil, possibly polychlorinated biphenyls (PCBs) and copper sulfate.

There is "a very good chance" a number of hazardous substances were buried at the site, Hawkins said.

Investigators stumbled across the waste while conducting a routine on-site inspection, Hawkins said. Several crushed barrels of waste were found in a recently excavated area, and when state officials started to dig around

Please see LANDFILL, page A6



The state wants barrels removed from Witherspoon Inc.

Water Pollution Charged

Landfill

Continued from page A1

them, more barrels were found.

Hawkins said he has "no idea" how much waste is in the landfill, or how extensive the contamination is.

The state is conducting a preliminary investigation of the site for the Environmental Protection Agency "to see if it's a national priority list candidate," Hawkins said.

The property is owned by Witherspoon Inc., a metal processing company. Witherspoon, which owns two other sites, has been plagued with hazardous waste problems for years.

Last Friday, the state Department of Health and Environment filed a complaint in Davidson County Chancery Court asking that Witherspoon be forced to comply with a 1985 cleanup order for about 200 barrels of soil contaminated with radiation and PCBs at the company's main location at 901 Old Maryville Pike.

The complaint asks that Witherspoon pay a \$50,000 non-compliance fine.

During the 1960s Witherspoon was licensed by the Atomic Energy Commission to store and process radiation-contaminated scrap metal. Over the years, however, the company accepted waste it was not licensed to store.

Under the 1985 order, Witherspoon agreed to clean up the contamination. While most of the

waste was disposed of, about 200 barrels of contaminated soil could not be removed because it also contains PCBs.

Company President David Witherspoon Jr., who inherited the company from his father, said Thursday he hasn't been able to dispose of the waste because "nobody but the Department of Energy is licensed to take it."

"We'd be happy to ship it to them," he said. "I've been trying to get out of this for five years and just as soon as I can get someone licensed to take it, I'll send it off and happily surrender our license" to store radioactive material.

Witherspoon said only "demolition" waste was buried in the landfill, which encompassed about "10 or 12 acres" of a larger site. However he could not be more specific about what the demolition material was. "Just whatever demolition is," Witherspoon said.

Witherspoon said his company "never handled toxic waste" and the landfill wasn't licensed to receive it. However, he pointed out that in the 1960s, when the landfill was in operation, the EPA did not exist and there was little government regulation of hazardous waste.

By the end of June, Hawkins said, the state will "have a fairly comprehensive report" of what is in the landfill. Hawkins said he doesn't think the landfill poses a public health hazard but added the state may make a public statement after it earns more about what is in the landfill.

Water Pollution Charged

South Knox Disposal Site Ordered Closed

APR 6 1973
Chancellor Len C. Broughton Jr. today allowed David Witherspoon Inc. and its president, David A. Witherspoon Jr., until May 25 to complete closing of a disposal site on Maryville Pike which the state Health Department charges is polluting Fleniken Branch and Fort Loudoun Lake.

The firm was given 30 days to appeal. The health department reported Mr. Witherspoon had not appealed and had not complied with regulations.

The chancellor set up a timetable in which Mr. Witherspoon will have until May 15 to either dispose of certain barrels containing chemicals, properly cover them or take them to the city's dump. He ordered the firm to submit, no later than April 25, final specifications for closing the site, subject to State Health Department approval within 10 days after that date. Under the timetable Mr. Witherspoon may then start closing the site May 15 and have until May 25 to complete the closing.

A Health Department chemist testified today that an analysis of toxic waste from the Witherspoon landfill had the "same strength as raw sewage."

Mr. Witherspoon had been ordered by Chancellor Broughton to show cause today why he should not be required to close the disposal site. The show cause hearing was ordered in response to a complaint by the Health Department that the Witherspoon firm at 901 Maryville Pike was maintaining a public nuisance through the landfill on Maryville Pike between Kingsley Station and McOlive.

Health Department officials issued an order in complaint to the Witherspoon firm Jan. 25 and it was delivered Jan. 30.

State wants S. Knox toxic waste cleaned up



Signs warn of radioactivity at a waste storage site near Maryville Pike and Candora Drive.

MON FEB 19 1990

By **BETSY KAUFFMAN**
News-Sentinel staff writer

The state attorney general's office is pursuing legal action against a Knoxville company that has repeatedly failed to comply with orders to clean up toxic and radioactive waste

Attorney general pursuing action against Witherspoon

cluding the uranium tailings and pipes with uranium "yellow cake" — pure, loose uranium — inside.

When the pipes were dumped onto the ground at Witherspoon, the uranium powder fell out, contaminating the soil, Mobley said.

Waste

Continued from page A1

shortly afterward began issuing a long list of orders and demands that Witherspoon clean up its mess.

Investigators are still trying to determine how extensive the mess is, said Dan Hawkins with the state Superfund division.

Hawkins said Witherspoon owns three South Knoxville sites that are being considered for possible Superfund cleanup. The sites include the scrapyard's current location, where the barrels of contaminated soil are stored, nearby property where "apparently some radioactive material was once stored," and an old landfill that could hold just about anything.

"The landfill is sort of a question mark in our minds," Hawkins said. "We really don't know what was dumped in there." The state ordered the landfill closed in 1973 when state officials discovered toxic waste there and determined runoff from the site was polluting nearby creeks.

The site, however, was never properly covered, and exposed waste can still be found there, Hawkins said.

In addition, investigators have been unable to determine what happened to more than 100 barrels of waste that were moved from one of the sites to another several years ago. State records on the barrels are so vague, Hawkins said, he doesn't even know what was stored in them.

"I'm not even sure at this point those aren't some of the barrels down at the other site," he said.

State health officials don't believe the radiation poses a health threat to the public.

Patrick Murphy-Recey/News-Sentinel staff

Deputy Attorney General Mike Pearigan said the Department of Health and Environment has asked his office "to look at with an eye to enforcement" a cleanup order and \$50,000 civil fine filed against David Witherspoon Inc., a metal processing company in the Vestal community.

The cleanup order was issued in 1985 and gave Witherspoon until January 1987 to remove all radioactive waste and contaminated soil from two sites off Old Maryville Pike.

While about 50 barrels of uranium tailings — low-level radioactive waste — and tons of ra-

ment of Energy facility in Oak Ridge, the cleanup revealed soil in the scrapyard also was contaminated with polychlorinated biphenyls (PCBs), and therefore could not be taken to Oak Ridge. Around 125 barrels full of radioactive soil and PCBs are still stored at Witherspoon's current scrapyard off Old Maryville Pike.

When the company failed to fully comply with the order, the state levied a \$50,000 fine against it.

Enforcing the order, Pearigan said, may mean filing a complaint in Davidson County Chancery Court and asking a

According to Mike Mobley, director of the state division of radiological health, David Witherspoon Inc. was licensed, probably in the 1960s by the Atomic Energy Commission, to store and process radiation-contaminated scrap metal.

The company was founded by David Witherspoon Sr. in 1948 and is still operating under the control of David Witherspoon Jr.

The metal Witherspoon was licensed to handle was "plated" with low levels of uranium, Mobley said. Over the years, however, the company took waste it wasn't supposed to, in-

material shipped them virtually everything they had," Mobley said. "These people were not licensed to receive a lot of the material they got, but it was shipped to them. They got train car loads of this stuff and it should have been sent back. Unfortunately, it wasn't."

Officials believe tons of the uranium-contaminated pipe came from a dismantled DOE plant in Weldon Springs, Mo. No one knows where the tailings came from, Mobley said.

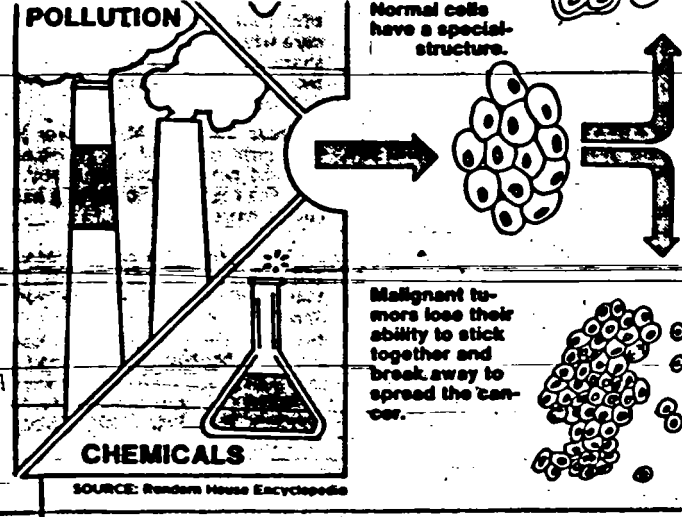
State inspectors discovered the barrels of tailings in 1980 and

Please see WASTE, page A4

said, and it doesn't look like groundwater has become contaminated.

Forcing a cleanup of the sites has taken this long, Mobley said, "simply due to the grinding of the wheels. You have a process to go through, you have to have orders and hearings."

The state, Mobley said, has now "built a good case" against Witherspoon, and should be able to enforce a cleanup soon.



"I liked to have died," Dorothy Hunley said later, recalling the pain, the strangling, claustrophobic fear that accompanies the thought that this breath may be your last.

"I couldn't breathe. I knew I was sick in some way. It seemed like I just wasn't getting any better."

Using a laser, a specialist at Fort Sanders Medical Center cut the growth from her bronchial tubes.

"She was going to die if we didn't do something," Riggins said. His patient, Riggins later discovered, will die anyway. In her lung, hips and part of her brain, she has an osteogenic sarcoma, a rare kind of bone cancer.

Dorothy Hunley's cancer is even more unusual because it began in her lung, rather than in her limbs. Riggins and Dr. John Bedwinek, a radiation oncologist at Baptist Hos-

At first, Dorothy Hunley's cancer did not respond to treatments. It wasn't until the 26th treatment — her hair began to fall out in clumps; she despaired of any way to stop the cancer from engulfing her brain — that Bedwinek noted some improvement.

The radiation treatments had been a "last-ditch effort" to halt the tumor's growth. "Much to my amazement, she responded," Bedwinek said last week after the latest tests.

Of course, the future is still grim for Dorothy Hunley.

"It's probably all over her now," Riggins said. "Most studies show radiation (treatments) don't really do much to slow down osteogenic sarcomas. It's not a treatment that will cure her."

She has trouble getting about her small house. Severe headaches

Osteogenic sarcomas cannot be linked definitely to radiation exposure — unlike some lung cancers which, through their unique cell structure, can be traced to asbestos.

After some delay — when Dorothy Hunley nearly was lost among the bureaucratic cracks of state government — the Tennessee Division of Radiological Health has entered the case.

Urine tests have been scheduled at a Department of Energy facility in Oak Ridge, the Radiation Emergency Assistance Center/Training Site (REAC/TS). Doctors there will try to locate old deposits of radioactivity in her body.

"The way I understand it," said Michael H. Mobley, division director, "this cancer can happen without radiation exposure, but it can be related to radiation exposure."

If her cancer was caused by exposure to radioactivity — even low

"Radiation is a weak tool in inducing cancer, compared to chemicals, but we know that," said John Auxier, president of Applied Science Laboratory I: Oak Ridge.

Riggins knows it can and why he worries about workers at David Witherspoon who have handled radioactive scrap.

"If you found another (like Dorothy Hunley's) among workers, that would be an indication that her's is more than chance. Someone ought to find it."

As for Dorothy Hunley, strength is sapped by the battle to survive a single, sleepless, minute-crawling day. She has hope. She has hope.

"All I want to do is get well," said.

Regulators find history of violations in scrap yard

By RANDELL BECK
Journal Reporter

In 19 years of inspecting David Witherspoon Inc., state regulators have had no trouble spotting violations at the Knoxville scrap yard. Getting those violations corrected is something else.

Past inspections by the Tennessee Department of Radiological Health have turned up violation after violation. Although officials warned that workers and the public were threatened, some contaminated metal remains at the scrap yard.

Some examples of that regulation:

- March 9, 1980 — Inspectors find 70 to 80 barrels of uranium tailings and other contaminated scrap. 5 barrels are open and filled with a black liquid that is leaking, "apparently causing the ground on the downhill side to be black." Higher-than-normal levels of radioactivity.
- April 6, 1981 — Letter to David Witherspoon. "With respect to the barrels of uranium turnings which are in your possession without authorization on your radioactive material license, proper disposal of these must be made immediately."
- Dec. 21, 1981 — Eugene Fowinkle, commissioner of the Department of Public Health, signs order saying Witherspoon's violations "pose a serious threat and potential for harm to the public health." Scrap yard is told to dispose of uranium tailings.
- Aug. 23, 1982 — Telephone conversation. Witherspoon is asked why barrels of uranium tailings have not been sealed as ordered. "He replied that he was not aware that we had gotten the environmental samples we wanted; therefore, he had purposely avoided taking action. ... He said he would complete the

agreement in one or two weeks."

- Sept. 16, 1982 — Inspection. Conditions have not changed.
- Jan. 3, 1983 — Inspection. "The uranium tailings have not been sealed in their containers, nor have the containers been sheltered from the environment. The status of corrective action appears unchanged."
- May 6, 1983 — Inspection. Conditions have not changed.
- June 15, 1983 — Inspection. Found barrels of uranium tailings, dirt contaminated with radioactivity and a pipe "apparently made from depleted uranium."
- Feb. 1, 1984 — Inspection. Survey uranium turnings. "The barrels were still there, nothing has changed..."
- June 22, 1984 — Inspection. "The string ... of yellow drums appears to be in the same place." Higher-than-normal levels of radioactivity in area."
- Jan. 10, 1985 — Witherspoon is ordered to dispose of uranium tailings and contaminated soil by May 7, 1985, or pay a \$50,000 fine.
- Feb. 13, 1985 — Inspection. Railroad workers had complained of nausea and headaches. "The barrels and site appeared to be in the same condition as the last visual inspection by this division."
- May 8, 1985 — Inspection. "Everything looked the same as it did the last time I was there. All barrels are in the same place they have been for the past few years."
- July 28, 1985 — Inspection. Uranium tailings, now mixed with concrete and sealed in barrels, are still there because of a delay in getting permission to ship waste to Washington State. Witherspoon "said that everything was just about ready to go..."



State regulators have tried for five years to force the removal of radioactive uranium scrap mixed with cement and sealed in these barrels, at David Witherspoon Inc., 901 Old Maryville in the background, piles of metal await shipment on railroad cars.

June 17, 1980

Governor Ned McWherter
1st Floor, Capitol Bldg
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344 Cordell Hull Bldg.
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Mr. Terry Cothran, Director
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150 9th Avenue North
4th Floor, Terra Building
Nashville, TN 37247

Mr. Harold Hodges, Director
Div. of Air Pollution Control
4th Floor, Customs House
Nashville, TN 37247-5101

Mr. Michael Mobley, Director
Div. of Radiological Health
150 9th Avenue North
6th Floor, Terra Building
Nashville, TN 37247-3201

Mr. Tom Tiesler, Director
Division of Solid Waste
701 Broadway
4th Floor, Customs House
Nashville, TN 37247-3420

Re: David Witherspoon activities in South Knoxville

Dear Sirs:

We are writing to you on behalf of ourselves and other concerned citizens of South Knoxville about the unacceptable risks we feel are being visited upon ourselves, our neighbors, and our children by the hazardous wastes brought into our community and improperly handled and stored there by David Witherspoon. We know that many of you are already aware of this problem. But we believe you must have failed to grasp its seriousness for those of us who live close to these dangerous dump sites. How else can we explain the sad history of nonenforcement at these sites despite years of danger signals, complaints, and half-hearted remediation?

We thus send this letter for two reasons. First, we want it to serve as a formal written complaint, so that you can be properly alerted and empowered to move into appropriate action. If you have been waiting for word from affected citizens, please consider this as notice that we are calling upon you as our public servants to take all appropriate steps to remove these hazards from our community at once.

Second, we hope this letter will provide you with some meaningful sense of how things look from our point of view. Perhaps if you can see things through our eyes even briefly, you will understand why we believe swift and stern action is the only appropriate response to the situation at this time. Perhaps you will also understand why it is hard for people not to be angry and cynical at the federal and state government's record in this matter so far.

From our point of view, it appears that our needs and welfare have been chronically ignored. We know, of course, that the departments and divisions you head are hard-pressed to handle their many responsibilities, that you lack the staff and the funds you wish you had. But that is simply not an adequate explanation, given the level of hazard in this case, and the time that has gone by. We are enclosing a fact sheet developed by one of our members to remind you of some of the major events in this saga.

We believe that the nature of our community may have had something to do with the low priority we seem to have been accorded. Our neighborhood is mixed economically. People in South Knoxville come from a variety of backgrounds, and have varying resources at their disposal. However, one of the neighborhoods closest to the Witherspoon properties, the area known as Vestal, is not really mixed. It is poor.

Most of the children who play in the water that runs through the 901 Maryville Pike property, with its radioactive wastes and PCBs, are poor children. The kids who used to wade in the sludge-filled settling pond that collected run-off from the old transformer dumping grounds at that same site were poor children. The boys and men who go hunting on the multi-acre wasteland that has been created on the Rader site, at 1630 Maryville Pike, are mostly poor too. There are holes in the inadequate fence that should keep people away from the barrels of mixed waste which were ordered to be removed in 1985 but which still sit just off Candora Avenue, and these holes open onto residential neighborhoods where poor people live.

These people are not spiritually poor, of course, but they are poor in economic resources and in political clout. This area has had relatively few long-lasting citizen organizations. We have heard talk in recent years about the scandal of certain companies dumping hazardous wastes in Third World countries that are too desperate or ill-informed to resist. In many ways, it looks as though Vestal has been treated as the Third World of Knoxville. That kind of pattern is morally wrong and bad environmental policy too.

As the rest of South Knoxville wakes up to what has been going on, toleration by public officials of the continued use of Maryville Pike as a lawless dumping ground will prove to be politically ill-advised as well. And the rest of South Knoxville is waking up. Other areas besides Vestal itself are seriously affected by Witherspoon, Inc.

One such location is the community surrounding the 1630 Maryville Pike site, a well-developed residential neighborhood in South Knox County. In a wider circle that now includes the Mt. Olive community and the Woodson Drive area, awareness is rapidly growing that reckless and blatant violations of law and of sound safety practice have taken place on the Witherspoon properties for years, and that this continuing legacy almost certainly poses a serious health and economic threat to many people in South Knox County.

A quick glance at a map shows people how close they are to these two sites. Common sense also tells them that when Witherspoon burns waste without a permit (an activity which is frequent at the 901 location, and which is entirely consistent with the history of other activities there), the resulting pollution can travel to them. Many of us are wondering how some in city and county government can talk of South Knoxville and South Knox County as a good site for future residential and commercial development when this mammoth unresolved health and environmental hazard remains.

There has been one bright spot recently. We want to express our pleasure at the fact that the Attorney General, after so many years, has at last taken David Witherspoon to Chancery Court to enforce the Division's own 1985 order. It is unconscionable that innocent citizens should have been exposed to years' more danger because the facility that generated the dangerous waste in the first place, and the person who improperly stored it, could not agree on how it should be handled. Nevertheless, it is better late than never, and we are hopeful that the action will result in prompt removal of the "Rader dirt" now stored at 901 Maryville Pike.

However, we want to stress to each of you that removal of the barrels of mixed radioactive wastes and PCBs is only the beginning of a solution to this problem. There is every reason to believe that serious PCB contamination may exist at the 901 site even if the Rader dirt is removed. Transformers were brought to this site for years, often by rail, and were purposefully smashed in order to facilitate retrieval of copper. During this process PCB-contaminated oil would be released, and it was sometimes used to settle dust on this and the other site. Additional radioactivity may also be present on that land from past activities or as a result of leakage from the materials brought from the Rader site.

In addition, Goose Creek is full of sediment which has not been adequately tested for various kinds of hazardous wastes. Goose Creek runs through the 901 site and then through Mary Vestal Park where many local children play.

Local residents have also expressed concern about contamination of wells used for drinking. Though many people are on city water, some do have their own wells and are anxious to obtain testing for toxics so they can determine the safety of their water source.

And further, the landfill at the Rader property is still a threatening mystery to most who live around it. This landfill is directly adjacent to an area known as the "hot field" where we are told women worked sorting different radioactive metals by hand for many years. An article in the Knoxville News Sentinel on April 27, 1990 reported that investigators from the Division of Radiological Health had "discovered" that the landfill "contains an undertermined amount of hazardous and toxic waste, including radioactive materials, radioactive soil, possibly ... PCBs and copper sulfate," and reported that the the state planned to have "a fairly comprehensive report" by late June on what is actually in the landfill. Residents were excited by this story, because it seemed to suggest that things were beginning to move. We are waiting eagerly to learn the results of the state's investigation and assessment so far, and to learn what the state plans to do about the situation.

We want to trust your promises. We want to believe that at last someone will get to the bottom of this. We urge you to act in a way that earns our trust and respect. Here are several concrete steps that are within the reach of different branches of state government and which we believe are necessary for a rational, orderly and safety-conscious plan for the Witherspoon sites:

1. Attend a meeting with individuals and representatives from South Knoxville. (You will be hearing from us in the future about specific arrangements.)
2. Force David Witherspoon to remove the barrels of "Rader dirt" from the 901 Maryville Pike property as he was ordered to do in 1985.
3. Repair the fences around the 901 Maryville Pike property.
4. Make testing for various toxics available upon request for owners of nearby wells.
5. Put a stop to the burning of waste without permits on the Witherspoon properties.
6. Test the soil at the 901 Maryville Pike property for radioactivity and other toxics, or force David Witherspoon to have it done by a reliable expert.
7. Test the soil at the 1630 Maryville Pike property for radioactivity and other toxics, or force David Witherspoon to have it done by a reliable expert.
8. Test the sediment at the bottom of Goose Creek for radioactivity and other toxics, or force David Witherspoon to have it done by a reliable expert.
9. Take prompt and appropriate action to eliminate hazards identified in the course of the above testing.

As we understand it, all these steps are clearly within your or the Attorney General's power under the law. We urge you to start on them at once, and ask you in particular not to let any problems of overlapping jurisdiction contribute to any further delay. The fact that so many agencies may have expertise and responsibility in this matter is only an indication that it a serious and complex problem that demands more speed, more focus, more commitment, not less.

Thank you for your attention. This letter has been long, but has only scratched the surface. We look forward to hearing from you shortly, and to meeting with you or your representatives in the very near future. We are hopeful that we can develop a more fruitful partnership between local citizens and the state on this important problem. The time is past when any more delay can or should be tolerated by any of us.

We also enclose some copies of petitions that are circulating in South Knoxville presently. You will see from these petitions, and from the additional ones that will be arriving in the future, that the issue is one of deep public concern.

Sincerely,

Polly Murphy

Polly Murphy
3111 Foster Lane
Knoxville, TN 37920
577-5666

Todd Shelton

Todd Shelton
3111 Foster Lane
Knoxville, TN 37920
577-5666

John Nolt

John Nolt

Charlie Underwood

Charlie Underwood

On behalf of: Citizen's Committee -- Project Witherspoon
A Committee of Town Hall South

cc: R. Tim Wurz
Office of the Attorney General
450 James Robertson Parkway
Nashville, TN 37243-0485

Senator James Sasser
363 Russell Building
1st and C Street N.E.
Washington, D.C. 20515

Senator Albert Gore
393 Russell Building
Washington, D.C. 20515

Representative John Duncan, Jr.
506 SHOB
Cannon House Office Building
1st and Independence Ave. S.E.
Washington, D.C. 20515

Senator Ben Atchley
P.O. Box 436
Knoxville, TN 37901

Representative Buddy Scruggs
1431 Cherokee Trail #14
Knoxville, TN 37920

County Executive Dwight Kessell
County Executive's Office
City-County Building
400 Main Street
Knoxville, TN 37902

County Commissioner Fred Flenniken
6508 Martin Mill Pike
Knoxville, TN 37920

County Commissioner Ray Hill
P.O. Box 9813
Knoxville, TN 37920

County Commissioner John R. Mills
407 Howell Avenue
Knoxville, TN 37920

Mayor Victor Ashe
P.O. Box 1631
Knoxville, TN 37901

DOE report
FUSRAP Sites - Aug. 1988

II. BACKGROUND

In June 1942, at the direction of the President, the U.S. Army assumed overall direction of the United States atomic energy program. Principal efforts were directed at defense-related projects and involved technology to develop nuclear energy for military objectives - the atomic bomb. By August 1942, a new U.S. Army Corps of Engineers District, the Manhattan Engineer District, was established with headquarters in New York, New York. By this time, all authority, responsibility and fiscal support previously administered by the Office of Scientific Research and Development for process development, engineering design, materials procurement, and site selection associated with the program were transferred to the Manhattan District's "Manhattan Project". In 1943, the headquarters of the Manhattan Project was transferred to Oak Ridge, Tennessee.

On December 31, 1946, the Manhattan Engineer District was deactivated and its functions and responsibilities for continued development of nuclear energy technology were transferred to the newly constituted U.S. Atomic Energy Commission (AEC). At that time, more than 10 prime contractors and several hundred subcontractors were involved in the research, development and production operations. Those contractors included industrial concerns, academic institutions, and other scientific organizations. In contrast to the highly centralized operations of the Manhattan Engineer District, the Atomic Energy Commission decentralized and established five major centers of operation located in New York, New York; Santa Fe, New Mexico, Oak Ridge, Tennessee; Hanford, Washington; and Chicago, Illinois. The Commission continued the Manhattan Engineer District practice of contracting with industrial concerns and academic institutions to perform the actual operations, including the operation of Government-owned facilities dedicated to the development of nuclear energy.

The primary goal of the Manhattan Project was the development of the atomic bomb. The procurement and processing of uranium ores into oxides of varying concentrations and the conversion of oxides into metal and other compounds were among the highest priority tasks during the early phases of the Project. The primary contractors, facilities, and operations involved in these activities are identified in Figure A, which shows the processing of uranium ores, and vanadium tailings, or slimes into finished products under the direction of the Manhattan Engineer District. Some of the contractors identified in Figure A continued the processing of these materials well into the Atomic Energy Commission era.

In early 1942, uranium metal was still a laboratory curiosity. Therefore, research and development tasks required to determine its physical characteristics and to design metal fabrication techniques for the production of feed materials (uranium) in required shapes and

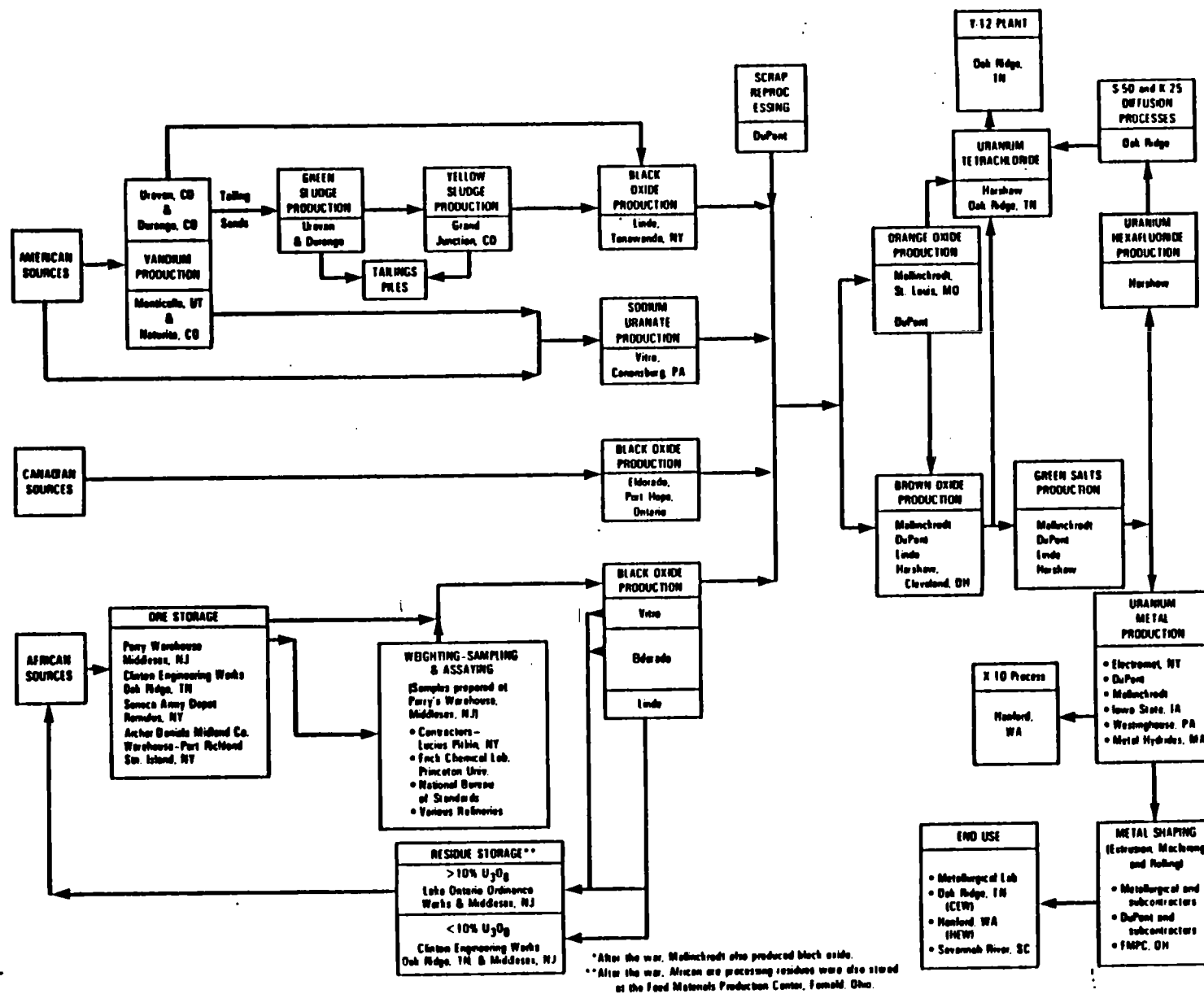


Figure A. Processing of Uranium Ores, Tailings, or Slimes to Feed Materials and Finished Product

quantities. Irradiation of the feed materials in plutonium production piles was also of the highest priority. Until Government facilities for the production of these feed materials were established and on line, these tasks were also performed by industrial concerns, universities and other scientific organizations. The Formerly Utilized Sites Remedial Action Program activities addressed all sites involved in research, development and production of feed materials operated by or in support of Manhattan Engineer District and Atomic Energy Commission operations through the early 1960's. The sites of concern were or have since been released to the private sector and in some cases other government agencies. These sites include prime and subcontractor facilities where operations included the handling or processing of radioactive materials, and other locations used for storage or disposal of equipment or radioactive materials used in nuclear operations. While many research operations have been reviewed under this program, major emphasis has been placed on development and production related operations due to their greater potential for residual contamination.

URANIUM PROCUREMENTS

The Manhattan Engineer District relied on three sources of uranium during the war years. About two-thirds came from mines in the Belgian Congo; slightly more than one-sixth from mines near Great Bear Lake in Canada; and the remainder from domestic (U.S.) ores, which, in large part, had already been processed for their vanadium content.

African Sources - At the beginning of the nuclear research program in the late 1930's and early 1940's, it was determined that there were significant quantities of uranium ore available in Czechoslovakia and Canada. However, the most productive sources were the mines of the Belgian Congo. The supplies of ore in the United States were not considered adequate. Following the takeover of Czechoslovakia, Germany ceased all sales of the Czechoslovakian ores. In response to these events, plus the German takeover of Belgium and its increased activity in Africa, the United States, Great Britain, and Canada made an all-out effort to obtain as much of the Congo ore as quickly as possible to guarantee adequate supplies of uranium. Through activities that began in September 1942, the United States was able to purchase all the above ground supplies of uranium ore in the Belgian Congo. Among the initial purchases were some 4,200 tons of ore from a Belgian company, African Metals, Inc. Some 1200 tons of ore included in this purchase, imported into the United States in 1940, was stored by the owner in the Archer-Daniels Midland Company warehouse (also known as the Staten Island Warehouse) in Port Richland, Staten Island, New York. The remaining ore was still in the Congo. By the end of 1944, approximately 3700 tons of Congo ore were received in the United States. Since the amount of ore being received far exceeded the available processing capacity, the Manhattan Engineer District established three primary storage areas: Seneca Ordnance Depot (also known as the Seneca Army Depot), Romulus, New York; Clinton Engineer Works (now the Oak Ridge National Laboratory), Clinton, Tennessee; and

the Perry Warehouse (Middlesex Sampling Plant), Middlesex, New Jersey. By the end of 1946, the Manhattan Engineer District had contracted for the processing of over 29,000 tons of African ore containing from 5 to 65 percent uranium oxide. Approximately 3800 tons of uranium oxide (U_3O_8) were produced.

Contracts with African Metals, Inc. were for the purchase of the recoverable uranium oxide in the ore. African Metals retained ownership of the residue or tailings which contained radium and other precious metals. Therefore, it was necessary to establish weighing and assaying operations. These operations were performed at contractor facilities where the ore was processed until November 1943 when a separate sampling program was set up at the Perry Warehouse, later known as the Middlesex Sampling Plant. The assaying and weighing of the ore samples were performed for the Federal Government by Lucius Pitkin, New York, New York; Frick Chemical Laboratory, Princeton University, Princeton, New Jersey; and the National Bureau of Standards, Washington, D.C. Ledoux and Company of New York performed sampling and analyses for African Metals, Inc. during these operations.

Following weighing and assaying, the ore was shipped to the various refineries to be processed. The process residue, tailings, were stored at the Clinton Engineer Works, the Perry Warehouse, the Lake Ontario Ordnance Works in Lewiston, New York, and later at the AEC's Feed Materials Production Center near Fernald, Ohio, until they could be returned to the owner. Some of the tailings containing less than 10 percent uranium oxide were interred in an encapsulation cell during cleanup of the Niagara Falls Storage Site (NFSS), formerly a section of the Lake Ontario Ordnance Works; and some are still being stored at the Department of Energy Feed Materials Production Center in Ohio.

Canadian Sources - The Office of Scientific Research and Development placed an order with Eldorado Gold Mines, Ltd. (later known as the Eldorado Mining and Refining, Ltd.) for uranium oxide refined from Canadian ore. Ore from their Great Bear Lake mine was refined at their Port Hope facility in Ontario. By the end of 1946, over 4,000 tons of ore concentrate containing over 1100 tons of black oxide (U_3O_8)* were delivered to the Manhattan Engineer District. No assaying and weighing program was set up for the Canadian ore.

* The various steps of the uranium recovery and refining process produced concentrates and compounds of uranium identified by their color and characteristics for nontechnical description and for security reasons. Black oxides - various concentrations of U_3O_8 ; brown oxides - uranium dioxides (UO_2); orange oxide - uranium trioxide (UO_3); yellow cake - sodium diuranate ($Na_2U_2O_7$); green salt - uranium tetrafluoride (UF_4).

Domestic Sources - The principal sources of uranium in the United States are the carnotite ores of the Colorado Plateau. However, the high-grade deposits were previously mined, primarily for their radium content. The demand for vanadium during the war created the potential for a practical source of uranium oxide as a byproduct of the vanadium processing. However, the tailings from vanadium processing were of such low uranium content that it was necessary to concentrate them prior to shipment to facilities for extraction of their uranium content.

The United States Vanadium Corporation concentrated vanadium tailings stockpiled at its Uravan, Colorado plant to produce a sludge containing 15 to 20 percent black oxide. This sludge was sent directly to the Linde Air Products Company located in Tonawanda, New York. The Corporation also produced a sludge (5 to 10 percent black oxide) from vanadium tailings and sands at its Uravan facility and another processing plant owned by the Metals Reserve Corporation in Durango, Colorado. The sludge from both facilities was trucked to Grand Junction, Colorado, for the removal of vanadium and for further concentration of the uranium to produce a sludge containing 10 to 15 percent black oxide. This sludge was then shipped to the Linde facility for further processing.

Concurrent with these operations, the Vanadium Corporation of America processed domestic ores for vanadium at its plants in Naturita, Colorado and Monticello, Utah. Most of the slimes (50 percent black oxide by weight) from these plants were shipped directly to the Vitro Manufacturing Company in Canonsburg, Pennsylvania for processing. In addition to these two sources of uranium concentrates, similar materials, accounting for less than 8 percent of uranium oxides produced from domestic sources, were procured by the Government from various small operations. By the end of 1944, about 800 tons of uranium oxide had been produced from domestic sources. By the end of 1946, concentrates containing over 1300 tons of uranium oxides had been produced from domestic sources.

URANIUM PROCESSING OPERATIONS AND END USE

The initial concentrate refining operations consisted of mechanically grinding and crushing the ores to a sandy material. Acid was used to dissolve the uranium. The uranium-bearing acid solution extract was treated with other chemicals to precipitate the majority of impurities, and the uranium-bearing solution was further treated to precipitate the uranium. The final products from this refining operation, either black oxide or yellow cake concentrate, were roasted and dried prior to the next stages of processing.

During World War II, the ores were refined to black oxides at the Linde facilities in Tonawanda, New York, and the Eldorado facilities in Canada. Vitro (at Canonsburg) refined the ores to produce sodium diuranate. Following the war, Mallinckrodt, Inc., also produced black

oxide at its facilities in St. Louis, Missouri, and later at the Atomic Energy Commission Weldon Spring Chemical Plant, Weldon Spring, Missouri.

The black oxide and sodium diuranate were further refined to orange oxide and brown oxide. The orange oxide was produced by Mallinckrodt and E.I. duPont de Nemours and Company, Deepwater, New Jersey. At the duPont plant, brown oxide was also made from black oxide and from uranium peroxide ($\text{UO}_4\text{H}_2\text{O}$) obtained from the processing of uranium-bearing scrap. Brown oxide was also produced by Mallinckrodt, Linde, and the Harshaw Chemical Company in Cleveland, Ohio. Brown and orange oxides were in turn refined into green salt, uranium tetrafluoride (UF_4), by duPont, Harshaw, Mallinckrodt, and Linde.*

Harshaw made uranium hexafluoride (UF_6) from the green salt for the S-50 (thermal diffusion) and K-25 (gaseous diffusion) Uranium-235 enrichment projects. The Y-12 electromagnetic enrichment plant in Oak Ridge received orange oxide from the various producers along with partially enriched uranium hexafluoride from the S-50 and K-25 plants. These feed materials were converted to uranium tetrachloride prior to enrichment at Y-12. Harshaw also supplied uranium tetrachloride for the Y-12 plant.

Green salt and, in some cases, scrap metal were used in uranium metal manufacturing by duPont; Mallinckrodt; Iowa State College (now University), Ames, Iowa; Westinghouse Electric Corporation, Bloomfield, New Jersey; Brush Beryllium Company, Cleveland, Ohio; and Electromet Corporation, Niagara Falls, New York. Scrap metal recovery operations were conducted at Metal Hydrides, Inc., Beverly, Massachusetts, and Iowa State College. Uranium metal in the form of powder was also produced directly from uranium oxides instead of green salt by Metal Hydrides. Various fabricators were contracted as required to develop fabrication techniques and form (rolling and machining) the metal. The metal manufactured by the various companies was ultimately shipped to the Hanford, Clinton and Savannah

* Following World War II and after the construction of the Weldon Spring Chemical Plant, many of the Atomic Energy Commission uranium conversion operations were centralized and transferred to Weldon Spring, operated for the Government by Mallinckrodt, and later to the Feed Materials Production Center at Fernald, Ohio, operated by the National Lead Company of Ohio until 1986. The latter facility is currently a center for the processing of uranium and thorium ores and concentrates to useful compounds and metal shapes. Other Department of Energy facilities at Paducah, Kentucky; Oak Ridge, Tennessee; and Portsmouth, Ohio, also have the capability to refine various uranium products.

River Plants* for use in plutonium production.** Plutonium produced at Hanford was then shipped to Los Alamos, New Mexico, for use in the weapons development program.

Quality control of the various processes in the ore/metal chain was performed by the University of Chicago's Metallurgical Laboratory, Chicago, Illinois; Princeton University, Princeton, New Jersey; Massachusetts Institute of Technology, Cambridge, Massachusetts; and the National Bureau of Standards in Washington, D.C.

In addition to the actual contractor-owned facilities, contractors used a number of offsite storage locations, such as landfills, for storing and disposing of their wastes. Examples include the St. Louis Airport Storage Site, where residue from Mallinckrodt operations was deposited; the former Haist property (now Ashland Oil Company), Tonawanda, New York, where material from Linde operations was deposited; the Pennsylvania Railroad Landfill Site, Burrell Township, Pennsylvania, where Vitro Corporation deposited wastes from the Canonsburg operation; and the Middlesex Municipal Landfill, Middlesex, New Jersey, where wastes produced during some construction activities at the Middlesex Sampling Plant were deposited. Some private residences were also contaminated as a result of natural radionuclide migration or through the use of contaminated soil from these operations as fill material.

ATOMIC ENERGY COMMISSION ACTIVITIES

Nuclear activities following World War II broadened in scope. The Atomic Energy Commission entered into a number of research, development, and production contracts to recover uranium as byproducts of certain industrial processes. With the consolidation of the responsibilities of the Manhattan Engineer District under the Atomic Energy Commission from 1947 through the 1950s, the Commission began to replace most of the major war time facilities located at industrial sites with processing operations at Government-owned facilities. Operations conducted during the war (at facilities such as Linde, Mallinckrodt, Harshaw, Electromet, and duPont) were slowly replaced with Atomic Energy Commission-owned sites, such as the Feed Materials Production Center in Fernald, Ohio, and the Feed Material Processing Center in Weldon Spring, Missouri. Production facilities at Oak Ridge, Tennessee, and Richland, Washington, and those at the Savannah River Plant in South Carolina, were enhanced. Additional enrichment facilities and processing capacities were established in Paducah, Kentucky, and Portsmouth, Ohio.

* Facilities were also established and operated at Hanford by duPont to extrude and machine uranium metal.

** An experimental gas-cooled pile and chemical pilot plant used to produce plutonium, called the X-10 process, was operated at Richland. The initial development of the X-10 process was completed at Oak Ridge.

Industry development and production of nuclear materials did not cease, however. Although the Atomic Energy Commission tended to rely more on Commission-owned industrial complexes for processing of uranium and thorium concentrates, use of commercial facilities for additional process capability for uranium metal fabrication or the development of improved machining and metal shaping processes was prevalent.

The Raw Materials Division, newly formed under the Atomic Energy Commission, addressed the concerns of the Commission with regard to the almost total dependence of the U.S. nuclear program on foreign ores as sources of uranium.* The Division established purchase programs and bonus programs to enhance the development of a domestic uranium market through increased exploration and production. The Commission set up ore buying stations in the western United States and signed long-term purchase agreements with commercial uranium mills. Many of the buying and stockpiling stations were turned over to mill operators at the termination of the Atomic Energy Commission procurement operations and others were decontaminated and returned to the owners for unrestricted use. Some mill operations closed at the termination of the Atomic Energy Commission procurement programs. These sites are being decontaminated under Department of Energy's Uranium Mill Tailings Remedial Action Program or the Grand Junction Remedial Action Program. Other mills continued to operate and provide uranium to the commercial market. These mills were licensed by the Atomic Energy Commission and are not addressed under the Formerly Utilized Sites Remedial Action Program.

An effort was made by the Raw Materials Division to identify potential sources of uranium as byproducts from other commercial operations. The Atomic Energy Commission set up a program to subsidize phosphate producers who were developing processes to recover uranium as a byproduct from the production of phosphoric acid. These sites were in Florida and Texas; one major facility, Blockson Chemical Company, was in Illinois.

While under the direction of the Atomic Energy Commission, many of the national laboratories and other Commission facilities were generally the center for research on uranium and thorium production.

* The Belgian Congo pitchblende ore was still the primary source of uranium in the United States through the late 1940s and into the early 1950s, until production was terminated due to the revolution in the Congo (now Zaire). Later in the 1950s, gold ores residues from South Africa, that contained enhanced concentrations of uranium, were also brought to the United States and processed for their uranium content.

However, other Government facilities operated by the Bureau of Mines and the Department of Defense facilities were regularly used. Additional work, either through the national laboratories or directly through the Atomic Energy Commission, was conducted by universities. In general, most of this work was small scale, theoretical, or done in conjunction with work at larger facilities.

THORIUM OPERATIONS

Operations with thorium after the war were similar to the uranium operations but were conducted on a much smaller scale. The first major research for the Manhattan Engineer District on thorium began early in 1946 with the procurement of thorium salts for a project at Iowa State College. Lindsay Light and Chemical Company*, Chicago, Illinois, was the major supplier of thorium salts through most of the early years of the program. Lindsay first received thorium from Germany and later extracted thorium from monazite obtained from India and Brazil. In later years, processing studies were performed by Dow Chemical Company, Walnut Creek, California, and Iowa State College. The Atomic Energy Commission also purchased and stockpiled refined thorium compounds and concentrates from other facilities involved in commercial production of thorium compounds or rare-earth compounds. Maywood Chemical Company and Rare Earths, Inc. of New Jersey were major suppliers. Rare Earths, Inc. was acquired by W.R. Grace and Company who worked with the Atomic Energy Commission to develop a plant to process Commission-owned monazite ore.

SITE IDENTIFICATION AND INVESTIGATION ACTIVITIES

In 1974, the Atomic Energy Commission began survey investigations to identify and determine the radiological status of all sites used under contract in support of Manhattan Engineer District and Atomic Energy Commission operations during the early phases of nuclear energy technology development. The emphasis of the investigations was on production and development scale operations. All of the Commission's divisions and field offices were requested to search their files for records needed to identify and define the nature of operations at known sites, to determine the radiological condition of the sites at the time contracts were terminated, to obtain information pertaining to current land use and ownership, and to provide similar information on new sites that might be discovered during the records review process.

* Lindsay Light and Chemical Company was using thorium to produce gas mantles, catalysts, and electron tube cathodes prior to its consideration for nuclear applications. Remedial action activities at this site and associated properties are being undertaken by the State of Illinois and Kerr-McGee Chemical Corporation, under the regulatory authority of the Nuclear Regulatory Commission.

In January 1975, the Energy Research and Development Administration (ERDA) assumed responsibility for the survey program. The Administration's field office personnel contacted owners and coordinated site visits to determine the need for radiological surveys of the properties. Press releases were issued to inform the public of the purpose of the program and the status of sites under investigation.

Following establishment by the Department of Energy Organization Act of 1977, the Department assumed all of the functions and responsibilities of the Energy Research and Development Administration, including the responsibility for formerly utilized site investigations that had been initiated. The Department's Assistant Secretary for Environment (Environment, Safety, and Health) was assigned responsibility for the site investigation effort that was subsequently elevated to major program status and identified as the Formerly Utilized Sites Remedial Action Program (FUSRAP).

With the change in Program emphasis from site identification to conducting remedial actions, responsibilities for management of the Program were divided between the Assistant Secretary for Environment and the Assistant Secretary for Energy Technology (now the Assistant Secretary for Nuclear Energy). The Office of Nuclear Energy was responsible for the remedial action portion of the Program. In 1982, responsibility for management of all major functions of the Program were assigned to the Assistant Secretary for Nuclear Energy. The Office of Environment retained only those functions associated with environmental protection overview and monitoring of all the Department's programs.

By the early 1980's, all major Manhattan Engineer District and Atomic Energy Commission contractors had been identified, and initial radiological investigations were completed. Several hundred smaller prime contractors' and subcontractors' sites that had been identified still required investigation. The investigations had two purposes: to determine the potential for residual radioactive contamination at each site and to determine if the Department had authority to conduct remedial actions at the sites if required. Reviews to determine if the Department had authority to conduct remedial action at several of the major contractor sites still had to be completed.

During records search and site investigation activities, a number of obstacles were encountered that increased the complexity and the magnitude of effort required to accomplish these tasks.

- o Many of the records were, and still are, protected from public disclosure by their original defense security classification.
- o Records inventories were fragmented - transferred to various field/operations offices and to Federal Archives and Records Centers throughout the United States.

- o Records were destroyed in accordance with records disposition schedules and Government records management practices.
- o Records indicating that sites were decontaminated according to criteria and health guidelines in effect at the time were not, in many instances, supported by radiological data required to evaluate the condition of the sites against today's standards.
- o Changes in ownership and land use over the years had a significant impact on efforts to determine the physical location of the properties and to locate the current owners.
- o In some instances, records that might indicate the location of contaminated equipment, materials and process wastes known to have been removed from these sites could not be found.

Information compiled during record search activities was sufficient to identify a majority of the formerly utilized sites but, in some cases, was not in sufficient detail to determine the potential for residual contamination. Therefore, a protocol was developed and a program of site investigations was initiated to obtain information from other sources, including on-site radiological surveys, if necessary, to evaluate the radiological status of the sites against current criteria and guidelines.

The Office of Nuclear Energy intensified efforts to complete these investigations and identify all potential FUSRAP sites by the end of Calendar Year 1987. The methodology for accomplishing these objectives is presented in the next section. Completion of the review of retired Manhattan Engineer District and Atomic Energy Commission records was critical to the attainment of these objectives.

III. PROGRAM DESCRIPTION

OBJECTIVES AND ORGANIZATION

The objectives of the Formerly Utilized Sites Remedial Action Program are to identify sites that were contaminated with residual radioactive material resulting from Department of Energy predecessor operations; and, where remedial action is warranted and the Department has authority to decontaminate the properties. These objectives are achieved through a structured program which is divided for purposes of this presentation into four phases:

- Phase 1 - Preliminary Analyses
- Phase 2 - Radiological Evaluation and Designation
- Phase 3 - Engineering and Remedial Action
- Phase 4 - Certification of Site Condition

The activities within each of the phases and their goals are described in detail in the "Formerly Utilized Sites Remedial Action Program Summary Protocol, Identification, Characterization, Designation, Remedial Action, and Certification" (January 1986) and in two supplements to this protocol: the "Elimination and Designation Protocol" and the "Verification and Certification Protocol." Specific details regarding the management and operation of the third phase are provided in the "Energy Systems Acquisition Project Plan for the Formerly Utilized Sites Remedial Action Program" (September 1987) and subsequent revisions. The discussions below summarize the information contained in these protocols and plan.

As previously indicated, the Office of Nuclear Energy is now responsible for management of the Formerly Utilized Sites Remedial Action Program. The program is implemented by the Office's Division of Facility and Site Decommissioning Projects. Day to day program management of Phase 3 and a part of Phase 4 is the responsibility of the Technical Services Division within the Department's Oak Ridge Operations Office.

PRELIMINARY ANALYSES PHASE

Phase 1 of the program involves the identification of potentially contaminated formerly used sites and the collection and analyses of data used to determine if the Department has authority to conduct remedial action at a given site. The sites are identified through records searches and interviews with former contractor or government employees that have experience or direct knowledge of the process or facilities involved.

An evaluation of the past operations and an assessment of the potential for residual radioactive contamination are conducted for each site. If there is little or no potential for contamination (that is, the information collected does not provide a basis for assuming that the site may contain residual radioactive material), the site is eliminated from further consideration under the Program. When contamination is discovered or suspected, additional investigations are conducted to determine if the Department has authority to conduct remedial action at the site if warranted.

These investigations include reviews of contracts, operating procedures, information that documents the degree of government control over contractor operations, and health, safety, and decontamination related data. The analysis also considers other factors such as whether or not the site was licensed to handle radioactive materials, whether the facility was used for commercial as well as Government work, and whether some other remedial action program might be responsible for assessing the radiological condition of the site.

The analyses are not intended to determine responsibility or liability, only to determine if there is authority under the Atomic Energy Act of 1954, as amended, for the Department to take action at a given site. If at any time during a review it is determined that the Department does not have authority to carry out remedial action, if warranted, the site is eliminated from further consideration. Where there is potential for residual contamination, the State and appropriate Government agencies are notified so that necessary actions may be taken.

The process described above is a screening system designed to maximize efforts directed toward identification and investigation of those sites with the greatest potential for residual radioactive contamination. The first step in the process is to screen out those sites for which records assembled indicate that the potential for contamination is very low. This condition exists for sites where little or no radioactive material was processed, such as research facilities and universities. As a second step, the screening process may include site visits and reviews of owner records.

For sites where it is clear from the records or from other information collected that residual radioactivity resulting from Department of Energy predecessor operations is present in concentrations exceeding guidelines and the Department of Energy has authority to conduct remedial action, the site is designated and Phase 3 of the program is implemented. If authority exists, but is not clear from the information collected whether or not the site is contaminated, Phase 2 is implemented and a radiological survey of the site is completed. Survey results are used to determine if current guidelines are exceeded.

RADIOLOGICAL EVALUATION AND DESIGNATION

Where it has been determined that the Department has authority to conduct remedial action, but it is not clear whether or not such actions are needed, a radiological survey of the site is conducted. The survey is designed to identify areas containing residual radioactivity in excess of current guidelines. The level or detail of the survey is dependent on the site and the types of contamination suspected. The survey may involve one or more of the following: gamma radiation measurements; alpha and beta radiation measurements; or soil, water, air and other materials samples.

If the data indicate that residual radioactivity on the site does not exceed guidelines, it is eliminated from further consideration under the program. If the survey determines guidelines are exceeded, the site is designated for remedial action. In all cases, the owner is notified of the findings of the radiological survey and is provided a copy of the survey report. Appropriate State and Federal agencies are also notified and provided the results of the survey.

ENGINEERING AND REMEDIAL ACTION

Once it is determined that a site contains levels of residual radioactive material in excess of Formerly Utilized Sites Remedial Action Program guidelines and that the Department has authority to conduct remedial action, the site is designated (officially included in the Program) and the Department's Oak Ridge Operations Office is authorized to implement the necessary remedial action. This phase of the program, conducted in compliance with Federal environmental regulations including the National Environmental Policy Act (NEPA) and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended by the Superfund Amendments Reauthorization Act (SARA), involves preliminary engineering, environmental review and analysis (ERA) of the alternatives for remedial action, identification of disposal alternatives, public participation, design engineering, implementation of the selected remedial action, and post-remedial action analysis of the site.

The selection of a remedial action alternative is announced in a Record of Decision (ROD). The decision process considers the factors assessed in the ERA process including cost, health risks, environmental impact and benefits.

The remedial action is conducted in accordance with the final engineering design, taking into account environmental concerns identified before and during the ERA process. Environmental monitoring is conducted before and during implementation of the selected remedial action to protect the health and safety of the workers and the public and the environment. A final post-remedial action survey is completed to ensure that the project goals have been achieved and that the site meets the appropriate remedial action guidelines.

CERTIFICATION OF SITE CONDITION

The certification phase is conducted to ensure that the radiological environment at the site is in compliance with the site-specific guidelines and to permanently document the completion of the remedial action and radiological condition of the site at the close of the project. This phase involves two related activities - a verification process and certification docket preparation. Much of the data assembled before, during and after remedial action is completed is used during the verification process and is included in the certification docket.

The verification activity is an independent check of the remedial action and the site condition by a DOE contractor not involved in the conduct of the remedial action. The verification contractor reviews the data collected during and after the remedial action, and as appropriate, conducts split sample analyses and independent post-remedial action verification surveys to verify that the remedial action contractor's measurement and sampling techniques are acceptable and that the data adequately demonstrate that the site's radiological condition is acceptable.

Once the remedial action is complete, the post-remedial action report prepared, and the verification contractor review is complete, the Department prepares a certification docket that documents the remedial action and site condition. The filing of the docket in the Department's public document room represents the official completion of Formerly Utilized Sites Remedial Action Program activities at the specific site. In addition to notifying the owner and appropriate agencies, Department of Energy also issues a Federal Register Notice to advise all concerned parties of the completion of the action and the availability of the docket for public review. After a prescribed period of availability in the public document room, the docket is archived by the Department as a permanent record of the remedial action.

SITES AUTHORIZED FOR REMEDIAL ACTION

<u>STATE/SITE NAME</u>	<u>PAGE</u>
CALIFORNIA.	24
University of California	
CONNECTICUT	28
Seymour Specialty Wire Company	
ILLINOIS.	32
Illinois National Guard Armory	
Palos Park Forest Preserve	
University of Chicago	
MARYLAND.	47
W.R. Grace and Company (Davison Chemical Division)	
MASSACHUSETTS	52
The Former Shpack Landfill	
Thiokol Corporation (Ventron Division)	
MICHIGAN.	60
General Motors Corporation	
MISSOURI.	69
Latty Avenue	
Mallinckrodt, Inc.	
St. Louis Airport Storage Site & Vicinity Property	
NEW JERSEY.	81
E.I. duPont de Nemours and Company	
The Former Kellex Corporation	
The Former Middlesex Municipal Landfill Site	
The Former Middlesex Sampling Plant	
Stepan Company	
Wayne Interim Storage Site	
NEW MEXICO.	108
Acid/Pueblo Canyon	
Bayo Canyon	
Chupadera Mesa	
NEW YORK.	119
Ashland Oil Company	
Colonie Interim Storage Site	
Linde Air Products Division (Union Carbide Corporation)	
Niagara Falls Storage Site (Department of Energy)	
Seaway Industrial Park	
OREGON.	141
Albany Research Center (U.S. Bureau of Mines)	
PENNSYLVANIA.	146
Universal Cyclops, Inc.	

DOE should take disputed wastes, state official says

Radioactive barrels still in scrap yard

By FRANK MUNGER
News-Sentinel Oak Ridge bureau

OAK RIDGE — Mike Mobley, Tennessee's director of radiological health, said Thursday the state has done everything but beg federal officials to take responsibility for the disputed wastes stored at a South Knoxville scrap yard.

"We have asked them formally (in writing). We've asked them verbally — by phone. We have had many discussions about how they could reasonably deal with the material," Mobley said in a telephone interview from his Nashville office.

He said it would be a "superb" move for the Department of Energy to accept the barrels of wastes — containing radioactive materials mixed with PCBs — from David Witherspoon Inc., a scrap dealer in the Vestal community.

"In fact, we believe they are largely responsible for part of the problem because Witherspoon should not have been shipped the kinds of materials he was shipped (from the Atomic Energy Commission, a predecessor agency of DOE, in the 1960s)," Mobley said.

DOE officials in recent weeks have repeatedly said the state has not asked the federal agency to accept the waste.

Danielle Jones, a spokeswoman in DOE's Oak Ridge office, reaffirmed that position Thursday. "They have not made a formal request," Jones said.

Whether or not DOE decides to accept the wastes, however, will depend on more than a request from the state of Tennessee, federal officials said. "It's not that simple," Jones said.

Currently, DOE is preparing a response to a letter received in mid-May from Sen. Jim Sasser, who asked the federal agency to consider taking the waste from Witherspoon. David Witherspoon Jr., owner of the scrap metal firm, said he believes the DOE's Oak Ridge reservation is the only legally acceptable place to send the waste.

There are no landfills in the United States licensed to accept so-called "mixed" wastes —

those containing radioactive materials and hazardous chemicals.

The dispute centers on scrap metal Witherspoon received from the old AEC during the 1960s and '70s. The scrap was contaminated with low levels of radioactive substances, primarily uranium.

Witherspoon, who is under state order to clean up the contamination at his scrap yard, argues that DOE has an obligation to take the waste. He said the federal agency never relinquished title to the scrap.

A few years ago, at the state's urging, DOE accepted more than 20 truckloads of scrap metal laced with radioactivity from Witherspoon, but the feds refused to take any wastes bearing PCBs (polychlorinated biphenyls, a suspected carcinogen). DOE officials contended that Witherspoon was responsible for the PCB contamination.

Mobley said the PCB issue is unclear, but, regardless, DOE could and should take the wastes in question. He said there are 232 drums of waste contaminated with uranium and PCBs in storage at Witherspoon. In addition, Mobley said, there is contaminated soil that must be removed from the site. That might add another couple of hundred barrels to the load, he said.

The state official said DOE representatives have told him they had no way to deal with the Witherspoon wastes, but he doesn't accept that explanation.

Mobley said the wastes at the Witherspoon scrap yard are only a "drop in the barrel" compared to the huge volume of similar waste already in storage at DOE's Oak Ridge plants. DOE plans to begin operation of the nation's first mixed-waste incinerator later this year.

Obtaining DOE's help is critical to short-term progress on the Witherspoon cleanup, but Mobley said he is running out of ideas. He said he'd write DOE a letter every day if that would help.

"I don't know what additional pressure we can put on them," he said. "I know that Senator Sasser and Senator (Albert) Gore have gotten involved. If they can't do anything to assist in the problem, I don't know that there's anything I can do or the state of Tennessee can do."

Knox N-5
P. 3
7/6/90

* call Keith/
Marilyn/
for Mike

*TSCA incinerator
being constructed to
deal w/ mixed
wastes.

The Knoxville News-Sentinel

6-30-90 p5. #3

DOE says state never asked it to take toxics

By BETSY KAUFFMAN
News-Sentinel staff writer

Federal officials said Friday it will be at least a year before a South Knoxville scrapyard can be assessed as a possible national Superfund site.

Bill Klutz, of the Environmental Protection Agency, told a group of South Knoxville residents it might be two years before toxic wastes at David Witherspoon Inc. off Old Maryville Pike are cleaned up.

John Nolt, with the Center for Global Sustainability, said he was "disappointed that it's going to take so long." Residents of the area are concerned that the Witherspoon properties pose a health hazard.

Although Klutz could not reassure the residents about cleanup of the sites, he did say the EPA wants 232 barrels filled with mixed wastes taken to "a more secure site."

State Department of Health and Environment officials have never officially asked the U.S. Department of Energy at Oak Ridge to take the 232 barrels of soil contaminated with PCB's and radioactive waste, a DOE spokeswoman confirmed Thursday.

Danielle Jones said DOE couldn't become involved in the matter until recently, when

Senators Albert Gore Jr. and Jim Sasser asked DOE in Washington to look into the issue.

Investigators with the Environmental Protection Agency's Superfund Division arrived in Knoxville Friday to begin assessing the site and two other Witherspoon properties as possible public health threats.

The soil in the barrels was excavated from another Witherspoon property where the company once processed scrap metal contaminated with low-level radiation. Witherspoon was licensed by the old Atomic Energy Commission to accept such waste.

Under a 1985 agreement with the state, Witherspoon cleaned up the site. While DOE accepted some radioactive materials from the property, including barrels of uranium tailings, they did not take the barrels of soil. They reportedly couldn't be accepted because they were considered a mixed waste.

David Witherspoon Jr., president of the company, has said he asked DOE to take the barrels but they refused. Witherspoon currently faces a \$50,000 fine for failing to fully comply with the state's cleanup order.

Jones said Friday that DOE has accepted

mixed waste before, and while David Witherspoon has written letters asking the department take the barrels, state officials have never officially made the request.

"I don't think we've ever said we can't take the waste," Jones said. "I guess what we felt was, 'What are we responsible for?' Until the state asks us, we chose not to accept the waste."

It is an "unwritten understanding" between federal and state agencies that such requests be made in writing, Jones said.

State officials could not be reached for comment.

DOE in Washington is "in the process of responding" to Sasser and Gore's request, Jones said. "As soon as we get that response, we can say what we're going to do."

It is possible the Witherspoon properties will be placed on the national priority Superfund list. Another site, a Witherspoon demolition landfill closed as a public health hazard in 1972, is suspected to contain toxic wastes. State Health and Environment officials have found as-yet unidentified waste there and have said toxic fumes emanate from holes in the ground at the dump.

EPA to take the waste, but not the source of the waste?

Saturday, June 30, 1990

The Knoxville Journal

5A

CITY & STATE

EPA: Waste site cleanup unlikely soon

BY RALPH DOSSER
of The Journal staff

The David Witherspoon Inc. hazardous waste site in South Knoxville could wind up on the Environmental Protection Agency's national Superfund list in a few years, but EPA said Friday there is little they can do now to clean up the site.

EPA engineers toured the site Friday, and will investigate it through the Tennessee Department of Health and Environment or through contractors, said Bill Klutz, on-scene coordinator for EPA's Atlanta office.

The EPA officials met with 12 members of South Knoxville neighborhood organizations who are worried about contamination in the area, but Klutz said he could offer little hope for fast action.

EPA will try to act soon to deal with dozens of barrels of uranium waste that are rusting at the site, Klutz said.

"We will look at our available options, and try to get them moved or temporarily addressed," he said.

But ground contamination from polychlorinated biphenyls (PCBs) and other hazardous substances are "longer-term risks" that could take years to deal with, he said.

Charlie Stevens, an EPA environmental engineer, said it could take two years or more to complete investigations, and that could lead to the lengthier process of trying to get the site on the federal Superfund list of priority cleanup sites.

That frustrated the local residents, who said they feel the hazards at the Witherspoon site are greater than have been said.

"I don't think anybody can say there's no high risk from PCBs," said resident John Nolt. "That could be a potent, immediate threat."

Nolt said there may be contamination in nearby Goose Creek, where children often play, and said it is easy for children to get through the deteriorated fence onto the site.

Other residents said they have seen a high incidence of cancer among their neighbors.

Resident Todd Shelton said Witherspoon workers had found contaminated equipment, in-

cluding cranes and an entire boxcar, buried on the site, only to be told to cover it up again.

That astonished the EPA officials, who said they could not just dig to try to verify the reports.

Problems at the site have been well known for years, but state officials have been unsuccessful in forcing a cleanup.

From 1948 on, uranium waste from federal facilities in Oak Ridge was deposited at the site, and there is PCB contamination from spilled transformer oil.

The Department of Energy took much of the radioactive waste back from the site, but that was halted in 1986, and hundreds of barrels remain.

Witherspoon President David Witherspoon said Thursday there is no disposal site in the country that will accept the waste, a mixture of hazardous and radioactive substances.

The state Attorney General has filed a court action seeking an injunction to force a cleanup at the site, as well as collection of a \$50,000 penalty against the company.

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State - action can be taken
EPA - action can be taken
DOE - asked to look into it yet.

Cleanup of Witherspoon site may be imminent, residents told

BY RALPH DOSSER
of The Journal staff

Several South Knoxville residents were told what they wanted to hear Thursday night: that the state can act soon to clean up some of the radioactive and hazardous waste contamination at the David Witherspoon Inc. site.

They said they were skeptical, though, because the man who told them that, Terry Cothran, head of the state division of superfund, is leaving his job at the end of the month.

Cothran and two local superfund officers met with several area residents near the site Thursday to talk about their concerns.

Before the meeting, he told the group he was leaving the division to work for Martin Marietta in Oak Ridge, and offered to leave if they objected to his involvement in the forum.

Last week, residents met with Environmental Protection Agency (EPA) officials who told them nothing could be done for years, but

Cothran said he will "get on the phone" today to begin action.

The group told Cothran they were concerned about the extent of soil and water contamination at the site, where waste from Oak Ridge's atomic weapons complex and other hazardous substances have been stored for decades.

But they said they wanted several barrels of waste removed from the site soon, and wanted better fences to keep out children and animals.

"It's demoralizing to feel we'll see those barrels for four or five more years," said Sherby Jones, resident of Vestal. "It's hard for a child to understand why you can't even take a barrel that's tipped over and set it back up."

Cothran called the years-long site assessment described by the EPA officials the "cookbook method" of cleanup, and said immediate action can be taken.

He called the Department of Energy the "likely candidate" to accept the barrels of waste, and said

he will try a "long shot" idea to get them moved. He also promised to try to get a fence built.

Some group members said they were pleasantly surprised by Cothran's remarks but remained cautious.

"That's a different reaction than we had before," said John Nolt of the Foundation for Global Sustainability. "All we can do is wait and see. I really hope something will happen."

Cothran said he would have his division examine information from various state agencies to find if site contamination is bad enough to call for other emergency action.

"If they say that, I'm going to go up the line and say, 'Let's roll,'" he said.

Cothran asked the group to designate a liaison with the division of superfund, and urged them to put pressure on Gov. Ned McWherter and Commissioner J.W. Luna.

"You've got a lot more power than you think," he said.

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NEWS FROM

U.S. Senator Al Gore



(D - Tennessee) SR 393 Russell Building, Washington, D.C. 20510 (202) 224-4944

DATE 8.18.90

TO Keith Hill

FROM Ratie

PAGES (including cover) 4

SUBJECT Watersboro

As you'll notice, Computer quit on us. —
Hope you can read my Chicken Scratch!
Let's go ahead at this point and at least
get a date for a meeting. I think we
can have a pretty good game plan
together by ~~the~~ late week of the
4th (preferably on Fri the 7th) or
Sometime during the week of the 10th.
(I don't think we should schedule any earlier 'cause we will
need time to discuss when I get back ☺)
Thanks!!

8.17.90

More on WITHERSPOON

To fill you in on the results of calls I've made today...

I spoke to Chris Adler in the State Superfund Office. He updated me on the current status of each of the sites. All three sites are on the state "masterlist", the stage immediately preliminary to being listed on the State Superfund list. Adler expects that the sites will become state superfund sites after they are "presented" to the State Solid Waste Control Board in October. In order to be so listed, the sites must meet 3 criteria ---

1. inactive
2. hazardous subs are present
3. anticipate that a threat to health and the environment will be presented.

Adler says these criteria are met. If the sites are not so listed, the State will no longer conduct the characterization studies it is now undertaking -- it will all be up to Witherspoon.

All three sites are also being analyzed for possible listing on the Federal Superfund Priority list. EPA has contracted with the state to conduct the studies that are required. Adler believes the sites will not receive NPL listing primarily because only very few people rely on the ground water (very few use their own wells) and because even if contaminants are running into Goose Creek and from there into Fort Loudon lake, the population potentially affected is not large enough to warrant listing.

Second call...

Spoke to Tim Wurz (State Atty Gen'l). The state has filed a lawsuit against Witherspoon and has rec'd his answer. To the injunction count, Witherspoon answered that he can not comply because there simply is no place for him to put the wastes (although the Texas firm, NSSI, claims to have the relevant permits, there has been no verification that that is true and all parties suspect that it is not). To the civil penalty count, Witherspoon answered that the original order said that he could deduct the remedial costs he incurs from the \$50,000 penalty and that he has already spent more than 50,000. (Wurz says even if this is true W may still be on the hook -- he didn't spend the \$\$ by the deadline specified in the original order (1987)).

GAMEPLAN:

Hopefully something late in the week --
either Thurs or Fri. (I'll need some
time after I get back in the office on the 4th!)

It seems to me that we should stick to our guns in having DOE remove the barrels as an initial matter. To the extent that the State indicates that the contamination is not confined to the drums, we'll have to jump one hurdle at a time.

As you know, DOE's position on removal has been that they would need:

1. an agrmt that removal is not an admission of liability
2. a waiver from EPA's regs that might classify them as a commercial handler of PCB's.

As to the first point, that will have to be left in DOE's hands -- they shld draft the language and let others review. Tim Wurz reiterated the position I have heard from the state before that they would have no objection to such an agrmt.

As to the second point, I have to get back in touch with Mike Walker in EPA's Division of Enforcement. When I last spoke to him, he thought there would be no problem, but we'll have to see. He'll be back in on Mon, Aug 27.

If DOE should raise still a third problem and say that the wastes aren't adequately characterized for them to take them, I think this burden will have to be put on Witherspoon. He shld be willing to comply -- he has a lawsuit on his hands that will force him to clean up, and I'm pretty sure that having DOE take the wastes will be a least cost alternative.

At this point I think it would be a good idea if we tried to schedule the meeting for the week of Tues, Sept 4th (Mon is labor day). This is a good week 'cause Mike Walker will be back, and (maybe) I'd be able to get down there, too. If you cld start trying to arrange the mtg that would be great. The people you need to speak to are:

1. DOE -- Bob Sleeman (Oak Ridge Envt'l Restoration Division -- he's in the Federal Office Bldg in Oak Ridge, but I can't find his #!!) Bob knows me and is familiar w/ the situation.

2. EPA -- Marilyn Allen (404-347-3004). Marilyn is supposed to be finding out for me who the appropriate EPA reps are and also get for me EPA's written assessment of the site (that they conducted at our request). She is very nice, but you will have to keep on her....

-- Mike Walker (202-475-8697), Division of Enforcement. Hopefully he will have good news -- namely, that he has a draft of DOE's waiver ready to go. If EPA can't come through with the waiver, that will be a major snafu -- just the out DOE will be looking for. If

that should happen, we'll have to find out how serious the problem is -- maybe we can make DOE just up w/ them, too.

Party - Computer Quit !!
✓

3. State -- Ken Dunting (615-741-6610) head of Land And Air --
I haven't spoken to him, but he's the boss; also talk to Dan Hawkins
(615 - 594-6466 -- state superfund → I've spoken to him - but a
while ago -- he was very enthusiastic; Mike
Noble (615-741-7812) -- Division of Rad.
health -- (he is up to speed & on board with
us).

Thanks Faith Talk to you
Ann!

Company may take waste from Knox site

BY RALPH DOSSER
of The Journal staff

A state official said Monday he may have found a private company to take drums of mixed hazardous and radioactive waste from the David Witherspoon Inc. site in South Knoxville.

"We've got a lead to that effect, but we don't know enough about it yet," said Terry Cothran, outgoing head of the state Division of Superfund. "It may be an alternative to stacking those drums on site or taking them back to (the Department of Energy), since they're reluctant to take them."

He said officials with Superfund and the state Division of Radiological Health will talk to the company — which he declined to name — to see if "they can technically handle what's in those drums."

They also will discuss issues of price and transportation, he said.

The drums contain uranium tailings and soil contaminated with polychlorinated biphenyls (PCBs), a toxic chemical.

Finding a disposal place for the drums has been a major obstacle to cleanup of the Witherspoon site, which South Knoxville residents fear is widely contaminated and a major health threat.

Company owner David Witherspoon Jr. says no business in the country will accept the waste.

He was unavailable for comment Monday.

Cothran's news came as battle appears to be forming between the energy department and U.S. Sen. Jim Sasser about whether the waste will be taken to the department's Oak Ridge operations.

For years, the old Atomic Energy Commission gave David Witherspoon Inc. contaminated waste from its Oak Ridge operations. The Department of Energy took much of the waste back, but refused Sasser's request to take the drums, saying they could be responsible for the uranium but not the PCBs.

Sasser recently asked the Governmental Accounting Office, the investigative arm of Congress, to look into the energy department's responsibility for the materials.

Knoxville Journal

7/17/90

pg. 1

BY RALPH DOBNER
The Journalist

"The site is not ready to go yet," he said. "There would be a considerable lag in the timing of the two

Cyprus Foote could wind up paying between \$557,000 and \$1.6 million for the cleanup.

/ RALPH DOBBER
— The Journalist

"What this technology has evolved into are methods that, as they currently stand, are about 10 times more precise than 12 months ago," he said. "Mirrors can be fin-

It works in high risk areas that private industry might not invest in, but that could have big payoffs.