

# Witherspoon/Superfund Complaint Summary

## AEC/DOE Inter-Office Memo 12/17/91

5. In 1963 or thereabouts, a solicitation was issued and awarded to Witherspoon, numbered #717, then modified to be #719, then modified to be #749. A series of supplements also accompanied the records. The specific sale #749 was issued to Witherspoon and was modified 2 or 3 times. The latest modification indicates that scrap metal had been cleared from the White Wing Yards used to store Y-12 and K-25 uranium contaminated metals. Supplement #7 added scrap metal from the ORNL portion of the White Wing Yard and some additional scrap from the ORGDP Scrap Yard. The ORNL scrap metal was advertised as "potentially contaminated with plutonium", but meets the Commission's unrestricted release of plutonium as determined by best reasonably available monitoring. The "Agent" was responsible for monitoring and then allowing release of scrap falling within the range of permissible contamination levels. The remainder was to be transported to the ORNL burial area with the exception of combustible material which was to be burned on the site. In addition, as part of the contract, the vendor was to remove some fencing, gates, posts, and some compressors from the ORGDP. This portion of the contract was in effect from April 1969 through September 1969.

6. Following the work described above, the contract #749 was extended on several occasions through at least the end of September 1970.

7. Following the sale #749, Witherspoon received a contract from us on many other occasions, including a sale of contaminated metal in June 1972, file number 2100. While Witherspoon was awarded contracts after that date, the activity was significantly reduced with no record of sales from Y-12 of contaminated metal after 1972.

8. The total amount of advertised contaminated metal received by Witherspoon between 1963 and 1972 was in excess of 4000 gross tons.

9. No records were found showing use of Marmon Transmotive.

10. It may be coincidence, but Y-12 did at one time employ a C.E. Maxwell (Charley) and a C.T. Russell (Charles) in the Salvage Department of Maintenance. In fact, both were employed during at least a portion of the time addressed in the complaint. Both are deceased. C. Maxwell was a General Supervisor, Assistant Department Head over janitors and salvage operations. I am not sure that he knew how to drive a truck and believe that he was a teacher for Harriman before coming to work at Y-12. C. Russell was a salvage yard keeper, i.e. he drove a vehicle in the plant picking up scrap metal and other wastes. C.T. had a problem associated with cleanliness and I somehow would find it difficult to believe that he would have been involved with driving a truck hauling waste to the river or the other referenced sites. I mention this only because of the referenced identity of the drivers in the complaint and our employees at Y-12. Being the suspicious person I am, I am speculating that the person filing the complaint may have names mixed up.

I don't know of any sales during the 1986 or 1987 time period which might have led to shipments of scrap metal from Y-12 or K-25 to the areas indicated in the complaint using our drivers or Marmon Transport drivers.

12. I forgot to mention that we have a copy of the sale contract #749

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