

UNITED STATES NUCLEAR REGULATORY COMMISSION WASHINGTON, D.C. 20555-0001

July 2, 2018

Litchfield County Industrial Space, LLC 310 Carter Road Thomaston, CT 06787

SUBJECT: PROPERTY AT 242 ELM STREET—REQUEST FOR INITIAL SITE VISIT AND TO PERFORM RADIOLOGICAL SURVEYS

To Whom It May Concern:

I am writing to inform you that our records indicate that the property at 242 Elm Street, Thomaston, Connecticut, was used by the Seth Thomas Clock Company as an office building where radium-226 may have been used in the manufacturing of clocks with luminous radium dials. If you are not the current owner of the property, please let us know whom we should contact.

Radium-226 is a radioactive isotope that, in certain quantities, may pose a risk to public health and safety. Radium-226 is regulated by the U.S. Nuclear Regulatory Commission (NRC). We do not know whether there is a current radiological issue at your property, and it is important that you contact us at your earliest convenience. We are requesting access to your property to perform radiological surveys and to collect samples to determine whether there is any residual contamination resulting from this historical manufacturing on your property. This testing will not damage your property and these tests will be conducted at no cost to you. If residual contamination at your property has already been remediated, please provide us with records describing cleanup activities and the status of the remediation.

To successfully complete our surveys and sample collection, we need to schedule an initial site visit. The initial site visit will serve two purposes: 1) to determine whether there is any readily detectable radium contamination; and 2) to determine whether your site requires remediation to remove residual contamination. After the visit, we will share results with you as soon as they are available.

Should remediation be required, we will provide additional information on any actions that may be necessary to ensure protection of public health and safety. Please be aware that under the NRC's regulations, site owners are responsible for the costs associated with these remediation activities; as a regulatory agency, the NRC cannot provide funding. This does not, however, preclude site owners from using alternative legal options that may be available under state or federal law to fund remediation activities. We recognize that you may not have been aware of the historical radium use at your site, and we will continue to work with you to address and resolve this matter.

The enclosed Site Summary Report provides all of the information that the NRC has concerning historical manufacturing at the property, which was found through a search of publicly available

information. The enclosed Backgrounder provides more detail on the history of radium use and its potential health effects. The enclosed brochure provides an overview of the NRC. In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at http://www.nrc.gov/reading-rm/adams.html.

We would like to work with you to schedule our initial site visit and answer any questions you might have. At your earliest convenience, please contact Mr. Stephen Koenick, Chief, Materials Decommissioning Branch, Division of Decommissioning, Uranium Recovery and Waste Programs, Office of Nuclear Materials Safety and Safeguards, at (301) 415-6631, or Mr. Jeffrey Whited, Project Manager, at (301) 415-4090.

Sincerely,

/RA/ M. Sampson for

John R. Tappert, Director Division of Decommissioning, Uranium Recovery and Waste Programs Office of Nuclear Material Safety and Safeguards

Docket No. 03039094

Enclosures:

- 1. Site Summary Report
- 2. Radium Backgrounder
- 3. U.S. Nuclear Regulatory Commission Overview

cc w/ enclosures: Micro-Document, Inc. 242 Elm Street Thomaston, CT 06787

REGISTERED LETTER – RETURN RECEIPT REQUESTED

SUBJECT: PROPERTY AT 242 ELM STREET – REQUEST FOR INITIAL SITE VISIT AND TO PERFORM RADIOLOGICAL SURVEYS, DATED JULY 2, 2018

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RidsRgn1MailCenter	R. Powe
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ADAMS Accession No. ML18164A141

OFFICE	DUWP/MDB/PM	DUWP/LA	RI/DNMS	OGC (NLO)	DUWP/MDB/BC	DUWP/D		
NAME	JWhited	CHolston	RPowell*	TCampbell*	SKoenick	JTappert (M. Sampson for)		
DATE	06/14/2018	06/14/2018	06/15/2018	06/15/2018	06/22/2018	07/02/2018		
OFFICIAL RECORD COPY								

Seth Thomas Clock Company, 242 Elm Street: Site Summary

Prepared by Oak Ridge Associated Universities Under NRC Contract Number HQ-50-17-A-0001

June 8, 2018

Prepared for U.S. Nuclear Regulatory Commission

Seth Thomas Clock Company, 242 Elm Street: Site Summary

The following information was extracted from public records.

Address

242 Elm Street, Thomaston, Connecticut 06787

Site Description/History

The Seth Thomas Clock Company (Seth Thomas) began making clocks in 1813 in the town of Plymouth Hollow, later renamed Thomaston after the clock maker. They continued to manufacture clocks and watches until the early 1980s (Master Clock Repair 2017, HBC 2014). In review of historic maps, there was a Seth Thomas Clock Company Movement Shop identified on Elm Street in addition to the 135 South Main Street Seth Thomas Clock Company location. Note, the balance of the Elm Street complex (219 Elm Street) is dispositioned under a separate summary report. As will be discussed, it is not completely certain that radium was either present or used at the Elm Street Movement Shop, which was part of the former Seth Thomas complex. Possible radium use at the property is suggested by the 1911 Sanborn map (Figure 1) that notes "Dial Painting" and the fact that radium contamination was positively identified at the South Main Street facility (ATSDR 1999, Scientech 2003, ORAU 2017a). The 0.5-mi

The small structure at 242 Elm Street was constructed in 1870 by Seth Thomas as an office building (ORAU 2017b, Thomaston 2017). It likely supported the Movement Shop and foundry operations (Sanborn 1911, Wassong 2004). The property currently consists of a parking lot, the subject structure, and a modern-era building surrounded by businesses and residences, as shown in Figure 3. According to the Thomaston Assessor's Office online database, the site's land area is 0.520 acres (Thomaston 2017). The brick building occupies approximately 1,200 square feet (DraftLogic 2017). A comparison of the 1911 Sanborn map and recent photographs show that the 242 Elm Street building is one of two originals that remain from the Seth Thomas Movement Shop era. Figure 4 is an old photo (date unknown) of the former Movement Shop, including the office building, and Figure 5 in a recent photo taken at approximately the same angle.

According to the Thomaston Town Clerk's Office, the Seth Thomas Company owned the site until 1936 when it was transferred to the General Time Instruments Corporation (ORAU 2017b). Seth Thomas became a division of the General Time Instruments Corporation in 1930 or 1931, later known as General Time Corporation (Master Clock Repair 2017, Antique Clocks Guy 2017, ClockHistory.com 2017, HBC 2017). In 1970, General Time Corporation was taken over by Talley Industries, which closed the Thomaston plant (presumably including the small office building at 242 Elm Street) and moved all operations to Norcross, Georgia (HBC 2017). Litchfield County Industrial Space, LLC purchased the 242 Elm Street property in 2003 (Thomaston 2017). The current occupant, Micro-Document, Inc., offers computer-related and data storage services (A2zcity 2017).

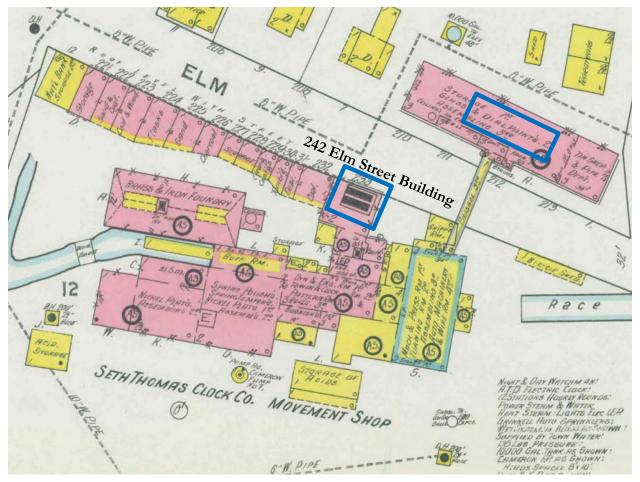


Figure 1. Seth Thomas Clock Company Movement Shop (Sanborn 1911)

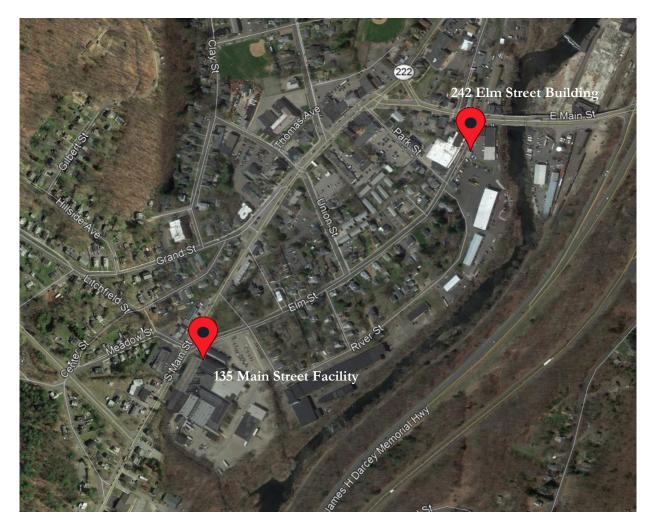


Figure 2. Seth Thomas Main Facility at 135 S Main Street in Relation to the Site at 242 Elm Street (Google Earth Pro 2017)



Figure 3. April 2016 Photo of 242 Elm Street Building and Surrounding Area (Google Earth Pro 2017)

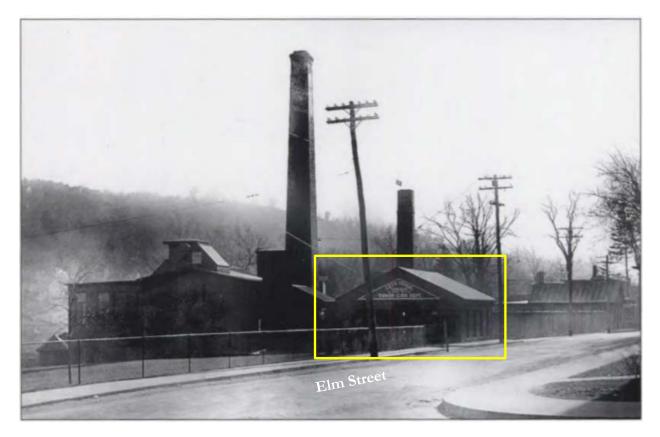


Figure 4. Small Brick Building at 242 Elm Street in the Early 1900s (Wassong 2004)



Figure 5. October 2008 Street View of Small Brick Building at 242 Elm Street (Google Earth Pro 2017)

Information Regarding Radium Sources/Contamination at the Site

It is not known whether radium was either present or used at the Elm Street facility; though the 1911 Sanborn map (Figure 1) indicates that the building across the street at 219 Elm Street was used for "Storage," "Glass & *Dial Painting*," (emphasis added) and "Assembling." Radium dial painting did not begin in general until 1917 and not at Seth Thomas until after 1917 (Clark 1997). Therefore, the potential link between radium contamination and the Elm Street "Movement Shop" is based on the term "Dial Painting" and knowledge that radium dial painting was practiced within the Seth Thomas complex as late as the 1940s (CT DPH 1998). Radium contamination was positively identified at the South Main Street facility (ATSDR 1999, Scientech 2003, ORAU 2017a). However, radium use at the Elm Street Movement Shop could not be confirmed, and the use of radium within the business offices at 242 Elm Street seems unlikely. No direct historical references to radium use or past radiological assessment records for this property were found.

Summary of Current Radium Levels:

As of October 2017, it is not known if radium sources and/or radium contamination are present at the site.

Location and Population Near the Site

The site at 242 Elm Street is located in the town of Thomaston in Litchfield County, Connecticut. According to the 2010 U.S. Census, the population of Thomaston was 7,887 and the 2016 estimate was 7,595 (U.S. Census Bureau 2017). Figures 2 and 3 show the small brick building within the local community.

Current State/other Federal Involvement

A comprehensive internet search of public records did not reveal any information concerning recent State and/or Federal involvement with this property.

Current Access and Activities at the Site

The property at 242 Elm Street is currently owned by Litchfield County Industrial Space, LLC (Thomaston 2017) and occupied by Micro-Document, Inc. The latter offers computer-related and data storage services (A2zcity 2017). Currently, there are no known access limitations to the property.

Existing Engineering and Administrative Controls

No engineering or administrative controls are known to exist at the 242 Elm Street location.

Prioritization Ranking

NRC assigns a prioritization ranking for each site based on two factors. The first factor relates to whether or not the historical record confirms the presence of radium and there is no documentation that the radium contamination was previously remediated. The second factor considers the potential for human exposure. Based on these factors, the site is assigned Tier 1, 2, 3, or 4 using the following criteria:

- Tier 1 = the historical record confirms the presence of radium, the building or adjacent lands are occupied or frequented by visitors, and site access is not controlled.
- Tier 2 = the historical record confirms the presence of radium, the building or adjacent lands are not occupied or frequented by visitors, and site access is weakly controlled.
- Tier 3 = the historical record confirms the presence of radium, the building or adjacent lands are not occupied or frequented by visitors, and site access is strongly controlled.
- Tier 4 = the presence of radium is suspected but not confirmed by the historical record.

Radium use is suspected at the former Movement Shop based on the term "Dial Painting" on the Sanborn map (1911) and given that radium use was confirmed at the 135 Main Street facility. However, radium use has not been confirmed within any Movement Shop building,

including the 242 Elm Street facility, which was used as business offices. Therefore, the former Seth Thomas building at 242 Elm Street is classified as Tier 4.

References

A2zcity 2017. http://www.a2zcity.com/Thomaston_CT/, Internet site accessed October 2017.

Antique Clocks Guy 2017, "Seth Thomas Clock Company History," <u>http://www.clockguy.com/SiteRelated/SiteReferencePages/SethThomasHistory.html</u>, Internet site accessed October 20.

ATSDR 1999. Public Health Implications of Radiation Contamination at Former Clock Factories Located in Bristol (Hartford County), New Haven, (New Haven County), Thomaston (Litchfield County), and Waterbury (New Haven County), Connecticut, prepared by the Connecticut Department of Public Health under Cooperative Agreement with The Agency for Toxic Substances and Disease Registry, U.S. Department of Health and Human Services. January 29. (Agencywide Documents Access and Management System [ADAMS] Accession No. ML17038A052).

Clark 1997. *Radium Girls: Women and Industrial Health Reform, 1910-1935*, Clark, Claudia, the University of North Carolina Press, Chapel Hill, North Carolina, ISBN 0-8078-4640-6.

Clockhistory.com 2017. Seth Thomas Company History, <u>https://clockhistory.com/sethThomas/company/</u>, Internet site accessed October 20.

CT DPH 1998. Former Seth Thomas Clock Factory: Questions and Answers, Connecticut Department of Public Health, October,

http://www.ct.gov/dph/lib/dph/environmental_health/eoha/atsdr/thomastonradiumfactsheet.pdf, Internet site accessed October 2017.

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Master Clock Repair 2017, "Seth Thomas Clock Company, A Brief History," <u>http://masterclockrepair.com/seththomas.html</u>, Internet site accessed October 20.

ORAU 2017a. Site Status Report for the Former Seth Thomas Clock Company at 135 South Main Street, Thomaston, Connecticut, DCN 5307-SR-19-1, Oak Ridge Associated Universities, Oak Ridge, Tennessee, October 3.

ORAU 2017b. Notes on personal communication between Tom Hills/Oak Ridge Associated Universities and the Thomaston Town Clerk's Office 860-283-4141, email exchange, October 19.

Sanborn 1911. "Thomaston, Litchfield County, Connecticut August 1911" <u>http://findit.library.yale.edu/ catalog/ digcoll: 385831</u>, Internet site accessed October 16.

Scientech 2003. *Connecticut Radium Sites Verification Survey*, prepared for: Valley Council of Governments, prepared by: SCIENTECH, Inc., New Milford, Connecticut, ML, October. (ADAMS Accession No. ML17039A514).

Thomaston 2017. "Thomaston, CT: Commercial Property Record Card for 242 Elm Street," City of Thomaston, Connecticut, February 24. <u>http://www.thomaston.univers-</u> <u>clt.com/view property C.php?account no=S0253800&series card=1</u>, Internet site accessed October 2017.

U.S. Census Bureau 2017.

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Wassong 2004. *Images of America: Thomaston*, Wassong, Jr., Joseph F., Arcadia Publishing, 2004.

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BACKGROUNDER Office of Public Affairs

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Radium

Radium was one of the first radioactive elements ever discovered. Marie and Pierre Curie unlocked the atom's secrets in 1898, opening the door for important innovations using radioactivity in medicine and industry. Radiation quickly became a consumer and medical sensation and radium was the posterchild. Experts concluded radiation was a lifesaver after finding it reduced tumor growth and was present in the waters at some health spas. Soon there were many radium products on the market that purported to improve health and vitality. But tragic stories began to emerge of the health impacts. Perhaps the most well-known is the "radium girls," who painted watch faces with glow-in-the-dark radium paint and developed infections and jaw cancer from licking their brushes into fine points.

Early regulation

When evidence of harm began to emerge in the early 1900s, the states each made their own decisions about how to regulate. Courts also took varying approaches on victim compensation. The federal government took action to guard against false advertising and regulate mail shipments, conducted studies, and organized some voluntary protections.

As radioactive materials became more widely available following World War II, they remained largely under state control. Radium use declined in medical and consumer products in favor of other safer materials.

Regulation today

Work on securing radioactive materials took on new urgency following the terrorist attacks on the United States in September 2001. Those attacks prompted the International Atomic Energy Agency to develop a code of conduct in 2004 to limit the potential for malicious acts. That code places one form of radium, known as radium-226, and other radioactive materials into categories based on their quantity and potential hazard.

The NRC has specific security requirements tied to these categories. As support for the IAEA code grew, Congress passed the Energy Policy Act in 2005, giving the NRC authority over radium-226. This law marked the first time the federal government had a comprehensive role in ensuring the safe use of radium-226.

Many states had developed strong programs for regulating radium and other naturally-occurring radioactive materials and it took time to transition authority. The NRC had regulations in place and fully assumed oversight in 2009. Initially, NRC staff worked exclusively with the military to identify sites

where radium might be present. These discussions made clear that the NRC's role would include ensuring that sites where radium was used are maintained in a way that protects public health and safety.

In 2016, the NRC and Department of Defense signed a <u>Memorandum of Understanding (MOU)</u> describing roles in the cleanup of radium and other unlicensed radioactive materials at military sites. The MOU and a <u>Regulatory Issue Summary</u> clarify NRC's jurisdiction over military radium. In late 2016, the NRC began monitoring two sites under the MOU: Treasure Island Naval Station in San Francisco and Dugway Proving Ground in Utah.

In 2013, the agency learned of two commercial sites where radium-226 had been found and other federal agencies had gotten involved. The Environmental Protection Agency was overseeing portions of the Waterbury Clock Company in Connecticut. The National Park Service was overseeing Great Kills Park in New York.

NRC staff is working with the current owner of the Waterbury Clock Company site. Contaminated areas of the site are under EPA oversight through its Brownfields Program, which provides assistance to clean up contaminated properties. NRC staff is working with EPA to clarify oversight roles and responsibilities under that program.

In 2016, NRC staff began developing an MOU with the National Park Service that will also clarify the NRC's jurisdiction over radium at Great Kills Park. The NRC is monitoring cleanup activities that the Park Service is implementing under Superfund, more formally known as the Comprehensive Environmental Response, Compensation and Liability Act.

Those projects prompted a search to identify sites in NRC's jurisdiction where radium was used, and to find out how much, if any, cleanup was done. This search was not a result of any known health and safety issues. Rather, because of its mandate to protect public health and safety, the NRC wanted to be sure there were no additional sites that might pose a risk.

With the help of the Oak Ridge National Laboratory, the NRC began to develop a fuller picture of commercial radium use. The lab produced a <u>catalog</u> of the various products developed and sold to the public in the early 20th century. By reviewing publicly available records, Oak Ridge identified sites where radium may have been used to make consumer goods. Then the lab looked for any cleanup records. Oak Ridge transmitted the results to the NRC in November 2015. Since that time, the agency has been working on plans to gather more information about those sites.

The NRC is working with state and local governments to identify any additional records that may help clarify whether any site cleanup has taken place. The goal is to ensure that public health and safety is adequately protected at these sites.

October 2016

OTHER KEY OFFICES

- The Office of Enforcement develops policies and programs to enforce NRC requirements. Enforcement action is used as a deterrent to emphasize the importance of compliance with regulatory requirements and to encourage prompt identification and prompt, comprehensive correction of violations. The office manages major enforcement actions against licensees, and assesses the effectiveness and uniformity of enforcement actions taken by NRC regional offices. Enforcement powers include notices of violations, fines, and orders to modify, suspend or revoke a license. Two separate offices are responsible for investigations.
- The **Office of Investigations** conducts investigations of licensees, applicants, contractors and vendors. The office investigates all allegations of wrongdoing by individuals or organizations other than NRC employees and NRC contractors. In addition, the office keeps abreast of inquiries and inspections and advises on the need for formal investigations. It also keeps other components of the agency informed of matters under investigation as they affect safety.
- The Office of the Inspector General is a statutory post mandated by the Inspector General Amendments Act of 1988. The office conducts independent reviews and appraisals of internal NRC programs and conducts investigations of alleged wrongdoing by NRC employees and contractors.

Office of Public Affairs

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Regional Public Affairs Offices

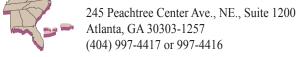




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NUREG/BR-0099, Rev. 14 June 2016

STAY CONNECTED





U.S. Nuclear Regulatory Commission

Overview



NRC MISSION

The NRC licenses and regulates the Nation's civilian use of radioactive materials to protect public health and safety, promote the common defense and security, and protect the environment. Specifically, the NRC regulates commercial nuclear power plants; research, test and training reactors; nuclear fuel cycle facilities; and the use of radioactive materials in medical, academic and industrial settings.

The agency also regulates the transport, storage, and disposal of radioactive materials and waste, and licenses the import and export of radioactive materials. While the NRC only regulates industries within the United States, the agency works with agencies around the world to enhance global nuclear safety and security.

STATUTORY AUTHORITY

The Energy Reorganization Act of 1974 created the NRC from the Atomic Energy Commission. The new agency was to oversee — but not promote — the commercial nuclear industry. The agency began operations on January 18, 1975. The NRC's regulations can be found in Title 10, "Energy," of the *Code of Federal Regulations* (10 CFR).

The NRC, its licensees (those licensed by the NRC to use radioactive materials), and the Agreement States (States that assume regulatory authority over use of certain nuclear materials) share a responsibility to protect public health and safety and the environment. Federal regulations and the NRC's regulatory program are key, but the primary responsibility for safely handling and using these materials lies with the licensees.

ORGANIZATIONS AND FUNCTIONS

The NRC's Commission is made up of five members nominated by the President and confirmed by the U.S. Senate for 5-year terms. The President designates one member to serve as Chairman. The Chairman acts as the principal executive officer and spokesperson of the agency. The members' terms are staggered so that one Commissioner's term expires on June 30 every year. No more than three Commissioners can belong to the same political party.

The Commission formulates policies and regulations governing nuclear reactor and materials safety, issues orders to licensees, and adjudicates legal matters. The Executive Director for Operations carries out the policies and decisions of the Commission, and directs the activities of the program and regional offices. The NRC has about 3,600 employees and an annual budget of about \$1 billion.

The NRC is headquartered in Rockville, Md., and has four regional offices. The **Regional Offices** conduct inspection, enforcement (in conjunction with the Office of Enforcement), investigation, licensing, and emergency response programs. At least two NRC employees, called Resident Inspectors, are assigned to, and work out of, each nuclear power plant. The NRC also has a Technical Training Center in Tennessee.

The major program offices within the NRC include:

- The Office of Nuclear Reactor Regulation. Handles all licensing and inspection activities for existing nuclear power reactors and research and test reactors.
- The Office of New Reactors. Oversees the design, siting, licensing, and construction of new commercial nuclear power reactors.
- The Office of Nuclear Security and Incident Response. Oversees agency security policy for nuclear facilities and users of radioactive materials. It provides a safeguards and security interface with other Federal agencies and maintains the agency's emergency preparedness and incident response program.

 The Office of Nuclear Material Safety and Safeguards. Regulates activities

and oversees the regulatory framework for the safe and secure production of commercial nuclear fuel and the use of nuclear material in medical, industrial, academic and commercial applications; uranium recovery activities; and the decommissioning of previously operating nuclear facilities. It regulates safe storage, transportation, and disposal of high- and low-level radioactive waste and spent nuclear fuel. The office also works with Federal agencies, States, and Tribal and local governments on regulatory matters.

The Office of Nuclear Regulatory Research. Provides independent expertise and information for making timely regulatory judgments, anticipating problems of potential safety significance, and resolving safety issues. It helps develop technical regulations and standards and collects, analyzes, and disseminates information about the safety of commercial nuclear power plants and certain nuclear materials.

Three independent groups serve the Commission:

- Advisory Committee on Reactor Safeguards, mandated by statute, is a committee of scientists and engineers independent of NRC staff. They review and make recommendations to the Commission on all applications to build and operate nuclear power reactors, the safety aspects of nuclear facilities and the adequacy of safety standards. This includes uprate license amendments and license renewals.
- Advisory Committee on the Medical Uses of Isotopes is made up of physicians and scientists who consider medical questions and, when asked, give expert opinions to the NRC on the medical uses of radioactive materials.
- Atomic Safety and Licensing Board Panel provides a way for the public to get a full and fair hearing on civilian nuclear matters. Individuals who are directly affected by licensing action involving certain facilites producing or using nuclear materials may submit a request to participate in a hearing before these independent judges.