

**NOTICE OF INTENT TO TERMINATE A CORRECTIVE ACTION ORDER UNDER
THE TENNESSEE HAZARDOUS WASTE MANAGEMENT ACT**

The Tennessee Department of Environment and Conservation's (TDEC) Division of Solid Waste Management (Division) proposes to terminate a corrective action order (Case Number: 98-H0035). The order was issued on May 1, 1998 to Tennelec/Nucleus Inc., (D/B/A) Oxford Instruments, Inc., Analytical Systems Division/Nuclear Measurements Group (Respondent). The facility (EPA Identification Number: TND003379112) is located at 601 Oak Ridge Turnpike, Oak Ridge, Anderson County, Tennessee. As of June 2, 2009, ownership of the facility and responsibility for order compliance was transferred to NuSAFE, Inc. The proposal to terminate the order was based on the Respondent achieving all the requirements specified by the order and NuSAFE, Inc.'s request to terminate all corrective action activities.

The hazardous waste corrective action order was issued to address residual solvent contamination in groundwater at the site. The contamination was the result of solvent waste in contact with the ground, but investigations did not indicate residual soil contamination. TDEC issued the order requiring remediation and monitoring of the groundwater until the hazardous constituents identified would remain below health-based criteria. On September 21, 2011, NuSAFE, Inc. submitted the third consecutive sampling event that had no detections of solvent contamination.

Tennessee law requires that the public be provided the opportunity to have input into the decision-making process. The Division is hereby notifying interested members of the public that copies of this notice, a fact sheet and correspondence letters pertaining to the termination are available for review and comment from 8:00 a.m. to 4:30 p.m., Monday through Friday, except legal holidays, at the TDEC Knoxville Environmental Assistance Center, Public Access Area, 3711 Middlebrook Pike., Knoxville, TN 37921, telephone 423-594-6035. The documents may also be viewed at the Oak Ridge Public Library, Civic Center, 1401 Oak Ridge Turnpike, Oak Ridge, TN, telephone 865-482-8455.

Any interested person may submit comments on the Division's proposed action or request a public hearing by contacting: Mr. Clayton Bullington; Division of Solid Waste Management; TDEC; 5th Floor, L & C Tower; 401 Church Street; Nashville, TN 37243-1535; telephone 615-532-0859; or e-mail to Clayton.Bullington@tn.gov. **The comments or request for a public hearing must be received by 4:30 p.m., Friday, February 3, 2012** to assure consideration. A request for a hearing shall be in writing, including the contact information of the requestor, and shall state the nature of the issues to be raised at the hearing. After considering all public comments, the Division Director will issue a Response to Comments and a final permit decision.

Persons who wish to be on DSWM's mailing list should request a Mailing List Request form by calling or writing: Public Participation Officer; Division of Solid Waste Management; TDEC; 5th Floor, L & C Tower; 401 Church Street; Nashville, TN 37243-1535; 615-532-0798 or e-mail solid.waste@tn.us.

TDEC is committed to principals of equal opportunity, equal access, and affirmative action. Contact the EEO/AA Coordinator at 1-888-867-7455 or the ADA Coordinator at 1-866-253-5827 for further information. Hearing impaired callers may use the Tennessee Relay Service at 1-800-848-0298.

NOTICE ISSUED: December 21, 2011

FACT SHEET

NOTICE OF INTENT TO TERMINATE A CORRECTIVE ACTION ORDER UNDER THE TENNESSEE HAZARDOUS WASTE MANAGEMENT ACT

Respondent: NuSAFE, Inc. [order was originally issued to Tennelec/Nucleus Inc., (D/B/A) Oxford Instruments, Inc., Analytical Systems Division/Nuclear Measurements Group]

Location: 601 Oak Ridge Turnpike
Oak Ridge, Tennessee 37803

EPA ID Number: TND 00 337 9112

Case Number: 98-H0035

Order Type: Corrective Action

Facility Owner/Operator: NuSAFE, Inc.

Facility Contact: Steve Heiner, Chief Financial Officer
NuSAFE, Inc.
601 Oak Ridge Turnpike
Oak Ridge, Tennessee 37803
Phone: (865) 220-5050
Email: info@nuSAFE.com

Comment Period Begins: December 21, 2011
Comment Period Ends: 4:30 p.m., Friday, February 3, 2012

FACILITY DESCRIPTION

Tennelec, Division of Nucleus, Inc., owned and operated a manufacturing facility located at 601 Oak Ridge Turnpike, Oak Ridge, Anderson County, Tennessee. Tennelec manufactured germanium gamma radiation detectors and silicon charged particle detectors. The main facility was built in the mid-1960s. Subsequently, additional buildings were added. Solvents, such as methanol, 1,1,1-trichloroethane, Freon, acetone, isopropyl alcohol, trichloroethylene and tetrachloroethylene, were reportedly used on site. Tennelec also generated waste acids which were neutralized on-site and discharged to the sewer. Tennelec acknowledged that they had disposed of hazardous solvents by pouring them into a dumpster intended for non-hazardous solid waste and destined for disposal in a sanitary landfill. Some of the waste solvent apparently leaked out of the dumpster into the soil at the site. According to the company, parts were also cleaned in the plant yard near the dumpster using solvents and then hosing them off with water onto the ground. A groundwater investigation revealed that the solvents migrated from the source soils and contaminated the underlying groundwater, which required a remedial action.

PURPOSE

The Tennessee Department of Environment and Conservation's (TDEC) Division of Solid Waste Management (Division) proposes to terminate a corrective action order (Case Number: 98-H0035). The order was issued on May 1, 1998 to Tennelec. As of June 2, 2009, ownership of the facility and responsibility for order compliance was transferred to NuSAFE, Inc. The proposal to terminate the order was based on all the requirements specified by the order being achieved and NuSAFE, Inc.'s request to terminate all corrective action activities.

The hazardous waste corrective action order was issued to address residual solvent contamination in groundwater at the site. The contamination was the result of solvent waste in contact with the ground, but investigations did not indicate residual soil contamination. TDEC issued the order requiring remediation and monitoring of the groundwater until the hazardous constituents identified would remain below health-based criteria. On September 21, 2011, NuSAFE, Inc. submitted the third consecutive sampling event that had no detections of solvent contamination.

NuSAFE has also requested the Division to release the financial assurance that has been held by TDEC to ensure that remediation and monitoring of the site would be completed. Upon termination of the order and the appropriate closure of all monitoring wells at the site, TDEC will release the financial assurance held for compliance.

This fact sheet is prepared pursuant to Tennessee Rule 1200-01-11-.07(7)(d) for the order termination. The Division is requiring NuSAFE, Inc. to public notice termination of the order. The purpose of this process is to afford any interested persons the opportunity to evaluate the ability of the Respondent to apply the applicable hazardous waste management requirements. The proposal is for the order to be terminated under the authority of the Tennessee Hazardous Waste Management Act of 1977, as amended, Tennessee Code Annotated, Section 68-212-101, et. Seq., and Tennessee Rule Chapter 1200-01-11, Hazardous Waste Management.

COMMENTS

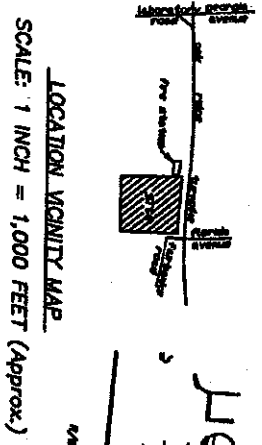
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Any interested person may submit comments on the Division's proposed action or obtain further information by contacting: Mr. Clayton Bullington; Division of Solid Waste Management; TDEC; 5th Floor, L & C Tower; 401 Church Street; Nashville, TN 37243-1535; telephone 615-532-0859; or e-mail to Clayton.Bullington@tn.gov. All relevant and substantive comments received by the **comment deadline of 4:30 p.m., February 3, 2012**, will be assured

consideration by the Division in formulating its final decision. After considering all public comments, the Division Director will issue a Response to Comments and a final permit decision.

Persons who wish to be on DSWM's mailing list should request a Mailing List Request form by calling or writing: Public Participation Officer; Division of Solid Waste Management; TDEC; 5th Floor, L & C Tower; 401 Church Street; Nashville, TN 37243-1535; 615-532-0798 or e-mail solid.waste@tn.gov.

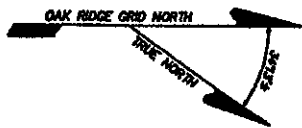
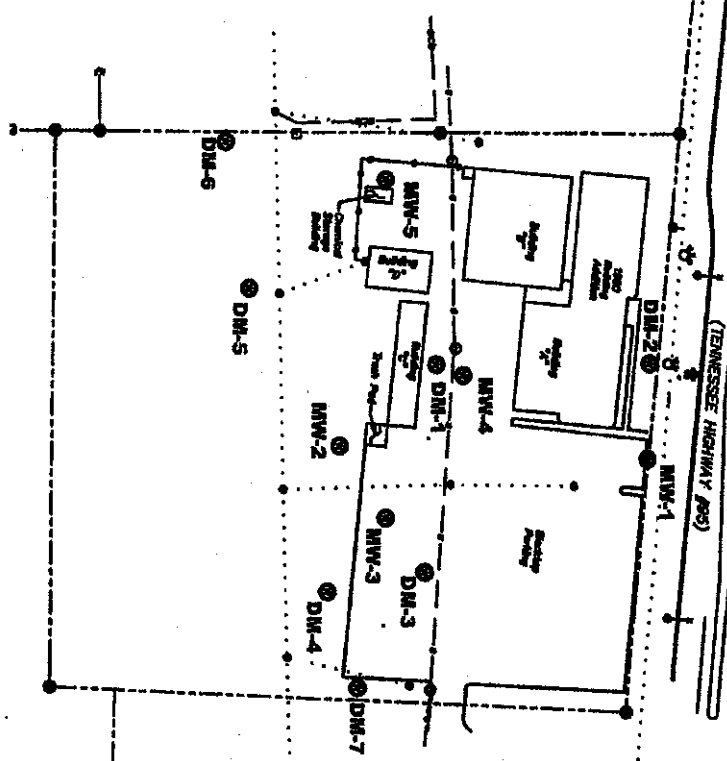
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- GENERAL NOTES**
1. Property Boundaries, Easements, and Encumbrances, See as of October 2, 2006.
 2. Property Boundary Shows as Represented by the File Ground.
 3. Easement Lines, Such as the State Water Easement, are Shown as Dashed Lines. Other Easements are Shown as Solid Lines.

SURVEY BY:
LACKETT AND ASSOCIATES, INC.
128 E. TRI-COUNTY BOULEVARD
OLIVER SPRINGS, TN 37840

DRAWING NO. 92-246



- MAP LEGEND**
- 100 ft. Ground
 - Property Line
 - 500' Minimum Ground
 - Water Meter
 - Water Shut-off Valve
 - Secondary Power Meter
 - Fire Hydrant
 - Light Pole
 - Generator Power Pole
 - Power Pole
 - Cable (See Notes on Page)
 - Sewer Line
 - Water Line
 - Easement Boundary Line
 - Utility Structure and Location



SCALE: 1 INCH = 100 FEET

Site Layout	
Former Oxford Instruments 601 Oak Ridge Turnpike, Oak Ridge, TN	
Figure: 1	July 2006
GEOSYNTEC CONSULTANTS 1531 Dick Louns Road, Building A Knoxville, Tennessee 37909	



NUCSAFE®

601 Oak Ridge Turnpike
Oak Ridge, TN
37830 USA

Tel: +1-865-220-5050

Fax: +1-865-220-5090

Email: info@nucsafe.com

Internet: <http://www.nucsafe.com>

November 4, 2011

Mr. Mike Apple, Director
Division of Solid Waste Management
5th Floor, L & C Tower
401 Church Street
Nashville, TN 37243-1535

RECEIVED

DIV SOLID WASTE MGT

NOV 17 2011

Group No. _____ 21

ID No. _____

Subject: Class ¹ Request for closure of Corrective Action Order Case No. 98-H0035
(TND 00-337-9112)
Reference: Letter to Mr. Bullington, State of TN dated 9/21/2011 from Mr. Garber,
NuSAFE, Inc.
Attachments: Form TSDF-APP

Dear Mr. Apple:

This letter is a Class ¹ modification request to terminate corrective action in accordance with item 9 of paragraph VII of Corrective Action Order 98-H005 and to request that the order be dismissed. This request is based on the reference letter that documents the third straight sampling event with no detections of vinyl chloride or chloroethane. Since 1993, monitoring well DM-3 is the only well that has showed contamination above the groundwater protection standard of 2 ug/L for vinyl chloride. Analytical results for vinyl chloride in DM-3 from 1998 to 2007 ranged from 2 to 11 ug/L, with the majority in the 2 to 5 ug/L range.

During the last three sampling events, NuSAFE used EPA recommended low-flow sampling procedures, instead of purging three well volumes. Using this sampling technique doesn't increase the turbidity in the ground water, which may have been the cause of apparent low-level groundwater contamination. The last time DM-3 was purged with three well volumes was June 7, 2007, and was reported to have a concentration of 5 ug/L vinyl chloride.

As part of the termination of the Corrective Action Order 98-H005, NuSAFE, with the DSWM's approval, will plug and abandon all monitoring wells installed at the site.

As a final part of the termination of the Corrective Action Order 98-H005 it is also requested to be modified to release the Irrevocable Standby Letter of Credit No. 600130820 issued by Pinnacle National Bank in favor of the State of Tennessee submitted Dec. 18th, 2010.

Sincerely,

Wayne Garber, Chief Science Officer/RSO



RH012094819

STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF SOLID WASTE MANAGEMENT - HAZARDOUS WASTE PROGRAM
401 CHURCH STREET, L & C TOWER 5th FLOOR
NASHVILLE, TN 37243

FORM TSDF-APP

HAZARDOUS WASTE TREATMENT, STORAGE, DISPOSAL FACILITY (TSDF)
APPLICATION AND OTHER REVIEW FEES

11/51
Check # 25094
\$4200.00

US EPA ID NUMBER TND 00-337-9112	OFFICE USE ONLY	DATE 11/04/2011	CONTACT PHONE NUMBER (865) 220-5050
SITE, BUSINESS, OR INSTALLATION NAME NuSAFE, Inc.		CONTACT PERSON Wayne Garber	
FACILITY ADDRESS 601 Oak Ridge Turnpike Oak Ridge, TN			

SECTION 1 PERMIT APPLICATIONS

DETERMINE THE CATEGORY BELOW FOR EACH APPLICATION BEING SUBMITTED. IF A SINGLE APPLICATION HAS TWO OR MORE TYPES OF UNITS, USE ONLY THE HIGHER (OR JUST ONE SET) FOR THAT APPLICATION.

EXAMPLE: FOR FACILITIES WITH MORE THAN ONE TYPE OF ACTIVITY SUCH AS STORAGE AND DISPOSAL, THE HIGHER PART B FEE APPLIES. CHOOSE THE APPROPRIATE EXISTING OR NEW PART A FEE AND ALSO IN THIS CASE, THE HIGHER ONSITE OR COMMERCIAL DISPOSAL PART B FEE.

CHECK AMOUNT AND ENTER IN THE TOTAL COLUMN	STORAGE 514	TREATMENT 516	DISPOSAL 511	POST CLOSURE 548	CORRECTIVE ACTION 547	MISC 516	TOTALS
A EXISTING FACILITY	<input type="checkbox"/> \$600	<input type="checkbox"/> \$600	<input type="checkbox"/> \$800	<input type="checkbox"/> \$600	<input type="checkbox"/> \$600	<input type="checkbox"/> \$600	
A NEW FACILITY	<input type="checkbox"/> \$2,800	<input type="checkbox"/> \$2,800	<input type="checkbox"/> \$2,800	<input type="checkbox"/> \$2,800	<input type="checkbox"/> \$2,800	<input type="checkbox"/> \$2,800	
B ON-SITE	<input type="checkbox"/> \$15,000	<input type="checkbox"/> \$15,000					
B COMMERCIAL	<input type="checkbox"/> \$37,500	<input type="checkbox"/> \$37,500					
B ON-SITE DISPOSAL			<input type="checkbox"/> \$30,000				
B ON-SITE LANDFILL			<input type="checkbox"/> \$30,000				
B COMMERCIAL DISPOSAL			<input type="checkbox"/> \$75,000				
B COMMERCIAL LANDFILL			<input type="checkbox"/> \$75,000				
B POST-CLOSURE PREVIOUSLY PERMITTED (UNDER OPERATING PERMIT)				<input type="checkbox"/> \$15,000			
B POST-CLOSURE NOT PREVIOUSLY PERMITTED (UNDER OPERATING PERMIT)				<input type="checkbox"/> \$30,000			
B CORRECTIVE ACTION					<input type="checkbox"/> \$15,000		
B EMERGENCY PERMIT						<input type="checkbox"/> \$2,400	
B R,D AND D APPLICATION / RENEWAL						<input type="checkbox"/> \$2,800	

PAID

SECTION 2 CLOSURE / POST CLOSURE (NOT ASSOCIATED WITH ANOTHER APPLICATION REVIEW)		548
CLOSURE / POST CLOSURE PLAN REVIEW	<input type="checkbox"/> \$2,800	
CLASS 1 MODIFICATION OF AN APPROVED CLOSURE / POST CLOSURE PLAN	<input type="checkbox"/> \$300	
CLASS 1 MODIFICATION OF AN APPROVED CLOSURE / POST CLOSURE PLAN	<input type="checkbox"/> \$850	
CLASS 2 MODIFICATION OF AN APPROVED CLOSURE / POST CLOSURE PLAN	<input type="checkbox"/> \$1,100	
CLASS 3 MODIFICATION OF AN APPROVED CLOSURE / POST CLOSURE PLAN	<input type="checkbox"/> \$1,700	

SECTION 3 PAYMENT OF FEES (SUBMIT FEE WITH APPLICATION / DOCUMENTS AND THIS COMPLETED FORM)	
SEND TO ▶ Division of Solid Waste Management - (HWM) Tennessee Department of Environment and Conservation 401 Church Street, 5th Floor L&C Tower Nashville, TN 37243	PAGE 1 TOTAL ▶ \$ 0.00
MAKE CHECK OR MONEY ORDER PAYABLE TO: ▶ "Treasurer, State of Tennessee"	AMOUNT YOU ARE PAYING ADD PAGE 1 AND 2 ▶ \$ 4,200.00
Do Not Send Cash	

SECTION 4 PERMIT MODIFICATION 513

CHECK AMOUNT AND ENTER IN THE TOTAL COLUMN		TOTALS
CLASS 1 MODIFICATION	<input type="checkbox"/> \$600	
CLASS 1 MODIFICATION	<input checked="" type="checkbox"/> \$4,200	4,200.00
CLASS 1 MODIFICATION (OWNER / OPERATOR CHANGE) non class 2	<input type="checkbox"/> \$3,800	
CLASS 1 MODIFICATION (MACT)	<input type="checkbox"/> \$8,000	
CLASS 2 MODIFICATION (CONTAINER, TANK OR DRIP PAD STORAGE AND / OR TREATMENT UNIT OR THERMAL TREATMENT UNIT)	<input type="checkbox"/> \$9,700	
CLASS 2 MODIFICATION (DISPOSAL UNIT; WASTE PILE STORAGE UNIT; CONTAINMENT BUILDING OR SURFACE IMPOUNDMENT STORAGE AND / OR TREATMENT UNIT OR OTHER MISCELLANEOUS UNIT)	<input type="checkbox"/> \$12,500	
CLASS 2 MODIFICATION (POST CLOSURE UNIT)	<input type="checkbox"/> \$15,000	
CLASS 3 MODIFICATION (CONTAINER, TANK OR DRIP PAD STORAGE AND / OR TREATMENT UNIT OR THERMAL TREATMENT UNIT)	<input type="checkbox"/> \$15,000	
CLASS 3 MODIFICATION (DISPOSAL UNIT; WASTE PILE STORAGE UNIT; CONTAINMENT BUILDING OR SURFACE IMPOUNDMENT STORAGE AND / OR TREATMENT UNIT OR OTHER MISCELLANEOUS UNIT)	<input type="checkbox"/> \$30,000	
CLASS 3 MODIFICATION (FINAL REMEDIES UNDER CORRECTIVE ACTION)	<input type="checkbox"/> \$15,000	
CLASS 3 MODIFICATION (POST CLOSURE UNIT)	<input type="checkbox"/> \$20,000	
TEMPORARY AUTHORIZATION	<input type="checkbox"/> \$3,000	
TEMPORARY AUTHORIZATION RENEWAL	<input type="checkbox"/> \$300	

SECTION 5 BURN AND / OR ASSESSMENT REVIEW FEE 544

TRIAL BURN PLAN FOR EACH TYPE OF UNIT	<input type="checkbox"/> \$11,700	
RISK BURN PLAN FOR EACH TYPE OF UNIT	<input type="checkbox"/> \$11,700	
CERTIFICATE OF COMPLIANCE PLAN FOR EACH TYPE OF UNIT	<input type="checkbox"/> \$5,000	
FACILITY RISK ASSESSMENT AND / OR RISK EVALUATION PLAN FOR A LAND BASED UNIT	<input type="checkbox"/> \$11,700	
FACILITY RISK ASSESSMENT AND / OR RISK EVALUATION PLAN FOR COMBUSTION UNIT	<input type="checkbox"/> \$11,700	
INITIAL DISPERSION MODEL AND DIRECT HUMAN HEALTH RISK ASSESSMENT	<input type="checkbox"/> \$11,700	
PERIODIC MODELING AND DIRECT HUMAN HEALTH RISK ASSESSMENT	<input type="checkbox"/> \$5,850	

SECTION 6 OTHER REVIEWS 576

VARIANCE OR WAIVER REQUEST (REVIEW - APPROVED OR DENIED)	<input type="checkbox"/> \$3,000	
VARIANCE OR WAIVER REQUEST RENEWAL	<input type="checkbox"/> \$650	
CHROMIUM EXCLUSION REVIEW FEE FOR EACH CHROMIUM WASTE STREAM	<input type="checkbox"/> \$2,500	
CONTAINED-IN DETERMINATION	<input type="checkbox"/> \$500	

SECTION 7 REGULATORY REVIEWS - AS DETERMINED BY STAFF 577

OFFICIAL WRITTEN REGULATORY INTERPRETATION REQUEST (PER HOUR)	<input type="checkbox"/> \$50	
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SECTION 8 CONSTRUCTION INSPECTION FEE (PER UNIT) 604

CLASS 1 MODIFICATION (STORAGE UNIT)	<input type="checkbox"/> \$300	
CLASS 1 MODIFICATION (TREATMENT, DISPOSAL OR POST CLOSURE UNIT)	<input type="checkbox"/> \$550	
CLASS 1 MODIFICATION (STORAGE UNIT)	<input type="checkbox"/> \$1,300	
CLASS 1 MODIFICATION (TREATMENT, DISPOSAL OR POST CLOSURE UNIT)	<input type="checkbox"/> \$2,700	
CLASS 2 MODIFICATION (STORAGE UNIT)	<input type="checkbox"/> \$2,000	
CLASS 2 MODIFICATION (TREATMENT, DISPOSAL OR POST CLOSURE UNIT)	<input type="checkbox"/> \$4,000	
*CLASS 3 MODIFICATION (STORAGE UNIT)	<input type="checkbox"/> \$2,700	
*CLASS 3 MODIFICATION (TREATMENT, DISPOSAL OR POST CLOSURE UNIT)	<input type="checkbox"/> \$5,350	

* ALSO APPLIES TO NEWLY PERMITTED UNITS NOT YET CONSTRUCTED

PAGE 2 TOTAL ► \$ 4,200.00

SECTION 9 CERTIFICATION

I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.


SIGNATURE OF AUTHORIZED REPRESENTATIVE

Steve Heiner, CFO
PRINTED NAME AND TITLE

11/04/2011
DATE SIGNED



601 Oak Ridge Turnpike
Oak Ridge, TN
37830 USA

Tel: +1-865-220-5050
Fax: +1-865-220-5090
Email: info@nucsafes.com
Internet: <http://www.nucsafes.com>

November 4, 2011

Mr. Mike Apple, Director
Division of Solid Waste Management
5th Floor, L & C Tower
401 Church Street
Nashville, TN 37243-1535

Subject: Class 1 Request for closure of Corrective Action Order Case No. 98-H0035
(TND 00-337-9112)
Reference: Letter to Mr. Bullington, State of TN dated 9/21/2011 from Mr. Garber,
Nucsafes, Inc.
Attachments: Form TSDf-APP

Dear Mr. Apple:

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During the last three sampling events, Nucsafes used EPA recommended low-flow sampling procedures, instead of purging three well volumes. Using this sampling technique doesn't increase the turbidity in the ground water, which may have been the cause of apparent low-level groundwater contamination. The last time DM-3 was purged with three well volumes was June 7, 2007, and was reported to have a concentration of 5 ug/L vinyl chloride.

As part of the termination of the Corrective Action Order 98-H005, Nucsafes, with the DSWM's approval, will plug and abandon all monitoring wells installed at the site.

As a final part of the termination of the Corrective Action Order 98-H005 it is also requested to be modified to release the Irrevocable Standby Letter of Credit No. 600130820 issued by Pinnacle National Bank in favor of the State of Tennessee submitted Dec. 18th, 2010.

Sincerely,

Wayne Garber, Chief Science Officer/RSO



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37830 USA

Tel: +1-865-220-5050
Fax: +1-865-220-5090
Email: info@nucsafes.com
Internet: <http://www.nucsafes.com>

September 21, 2011

Mr. Clayton Bullington
Tennessee Division of Solid Waste Management
Department of Hazardous Waste
5th Floor, L&C Tower
401 Church Street
Nashville, Tennessee 37243-1535

RECEIVED
DIV SOLID WASTE MGT

SEP 27 2011

Group No. _____ Inc No. 26

ID No. _____

**Re: Semi-Annual Effectiveness Monitoring Report
Former Oxford Instrument Inc. (TND 00-337-9112)
Oak Ridge, Tennessee**

Attachment: Microbac Laboratories, Inc. Certificate of Analysis 9/21/2011

Dear Mr. Bullington:

Nucsafes, Inc. is submitting the semi-annual report for the September, 2011 monitoring conducted at 601 Oak Ridge Turnpike, the former Oxford Instruments Site. In accordance with the 1998 Corrective Action Order (Case No.98-H0035) and subsequent Corrective Action Plan (CAP) authored by TriAd Environmental Consultants (TriAd) in August 1998, this letter summarizes the activities and results from the semi-annual groundwater monitoring performed on September 9, 2011.

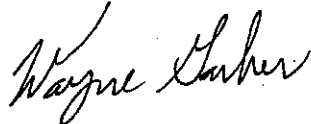
On September 9, 2011 personnel from Microbac Laboratories, Inc., Knoxville Division sampled the required fall sampling wells DM-3, DM-4, and DM-7. These samples were taken by Microbac Laboratories personnel using their standard sampling procedures. The samples were transported by Microbac Laboratories, Inc. personnel to their Maryville, TN laboratory for analysis thus maintaining control over the samples. Each well sample was split into two separate containers for duplicate analysis.

On September 14, 2011 a certificate of analysis was received from Microbac Laboratories, Inc. with the sample results for all three wells. The report states that the analysis was performed by the "Volatile Organic Compounds by EPA Method 8260B", which is the method used in previous samples. In DM-3, DM-4 and DM-7 there was no vinyl chloride detected at the 0.001mg/L level which is below the 0.002 mg/L limit in the order. There was no chloroethane detected at the 0.001 mg/L levels. This data indicates that this is the third sampling report with the vinyl chloride level in DM-3 being below the limit of 0.002 mg/L.

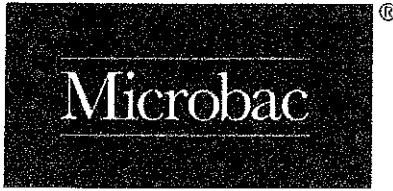
With the three consecutive clean samples it is my understanding that we can petition for closure of this case. I would appreciate your advice on the procedure that needs to be followed to bring this case to closure.

If you have any questions or need additional information please don't hesitate to contact the undersigned.

Sincerely,

A handwritten signature in cursive script that reads "Wayne Garber". The signature is written in black ink and is positioned above the typed name.

Wayne Garber, Ph. D.
Chief Science Officer/RSO
Cell: 865-806-9231



Microbac Laboratories, Inc. RECEIVED
 Knoxville Division **DIV SOLID WASTE MGT**
 505 E. Broadway Avenue Maryville, TN 37804 865.977.1200 Fax:865.984.8616
 Tri-Cities, TN 423.926.6385 | Nashville, TN 615.242.1480
 www.microbac.com
 tennessee@microbac.com Group No. _____

SEP 27 2011

CHEMISTRY · MICROBIOLOGY · FOOD SAFETY · CONSUMER PRODUCTS · WATER · AIR · WASTES · FOOD · PHARMACEUTICALS · NUTRACEUTICALS
 ID No. _____

CERTIFICATE OF ANALYSIS

Dwight Cook
 NuSAFE Inc.
 601 Oak Ridge Turnpike
 Oak Ridge, TN 37830

Date Reported: 9/14/2011
 Date Received: 9/9/2011
 Cust #: RN031
 PO#: 11-0401

Workorder: 1112543 Project: Monitoring Wells

Analyte	Result	Units	Qualifier	Reporting Limit	Analyst	Analyzed	Method
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DM-4 Sampled: 09/09/2011 08:12
1112543-01 (Wastewater)

Volatile Organic Compounds by EPA Method 8260B

Vinyl chloride	ND	mg/L		0.00100	LMN	09/12/2011 11:16	SW846 8260B
Chloroethane	ND	mg/L		0.00100	LMN	09/12/2011 11:16	SW846 8260B
Surrogate: Dibromofluoromethane	89.5-105			98.4 %		09/12/2011 11:16	SW846 8260B
Surrogate: 1,2-Dichloroethane-d4	86.9-113			98.6 %		09/12/2011 11:16	SW846 8260B
Surrogate: Toluene-d8	92.4-106			99.3 %		09/12/2011 11:16	SW846 8260B
Surrogate: 4-Bromofluorobenzene	83.9-118			100 %		09/12/2011 11:16	SW846 8260B

DM-7 Sampled: 09/08/2011 08:06
1112543-02 (Wastewater)

Volatile Organic Compounds by EPA Method 8260B

Vinyl chloride	ND	mg/L		0.00100	LMN	09/12/2011 11:40	SW846 8260B
Chloroethane	ND	mg/L		0.00100	LMN	09/12/2011 11:40	SW846 8260B
Surrogate: Dibromofluoromethane	89.5-105			99.9 %		09/12/2011 11:40	SW846 8260B
Surrogate: 1,2-Dichloroethane-d4	86.9-113			101 %		09/12/2011 11:40	SW846 8260B
Surrogate: Toluene-d8	92.4-106			98.0 %		09/12/2011 11:40	SW846 8260B
Surrogate: 4-Bromofluorobenzene	83.9-118			101 %		09/12/2011 11:40	SW846 8260B

DM-3 Sampled: 09/08/2011 08:21
1112543-03 (Wastewater)

Volatile Organic Compounds by EPA Method 8260B

Vinyl chloride	ND	mg/L		0.00100	LMN	09/12/2011 12:03	SW846 8260B
Chloroethane	ND	mg/L		0.00100	LMN	09/12/2011 12:03	SW846 8260B
Surrogate: Dibromofluoromethane	89.5-105			101 %		09/12/2011 12:03	SW846 8260B
Surrogate: 1,2-Dichloroethane-d4	86.9-113			100 %		09/12/2011 12:03	SW846 8260B
Surrogate: Toluene-d8	92.4-106			96.0 %		09/12/2011 12:03	SW846 8260B
Surrogate: 4-Bromofluorobenzene	83.9-118			99.9 %		09/12/2011 12:03	SW846 8260B

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 USDA-EPA-NIOSH Testing Food Sanitation Consulting Chemical and Microbiological Analyses and Research

MEMBER





Microbac Laboratories, Inc.

Knoxville Division
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CERTIFICATE OF ANALYSIS

Dwight Cook
NuSAFE Inc.
601 Oak Ridge Turnpike
Oak Ridge, TN 37830

Date Reported: 9/14/2011
Date Received: 9/9/2011
Cust #: RN031
PO#: 11-0401

Workorder: 1112543 Project: Monitoring Wells

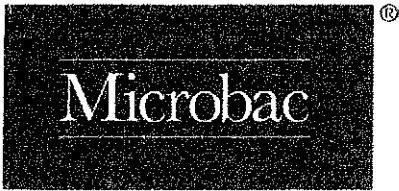
Certifications

Code	Description	Number	Expires
EPA	Environmental Protection Agency	TN00018	
IN_DW	Indiana State Department of Health	C-TN-03	
TN_DW	State of Tennessee	TN02017	04/30/2014
USDA	US Department of Agriculture		11/30/2011

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Microbac Laboratories, Inc.

JOE SLOAN For Jennifer Gambill, Project Manager

Thank you for your business. For any feedback, please contact Ashley Morris, at ashley.morris@microbac.com. You may also contact Sean Hyde, Chief Operating Officer at sean.hyde@microbac.com or James Nokes, President, at james.nokes@microbac.com.

As regulatory limits change frequently, Microbac advises the recipient of this report to confirm such limits with the appropriate Federal, state, or local authorities before acting in reliance on the regulatory limits provided.

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MEMBER





COOLER INSPECTION FORM # 10001.1

Client Name: Nixsafe

Date/Time Received: 9-9-11 1225

Work Order: 1112543

No. of Samples: 3

Received By: LB

Checklist Completed By: ALB /

Carrier: FedEx() UPS() Client() Field Services() Other(): _____

- After-Hours Receipt? Yes No
- Shipping container in good condition? Yes No Not Present
- Custody seals intact on cooler? Yes No Not Present
- Custody seals intact on samples? Yes No Not Present
- Chain of custody present? Yes No
- Chain of custody includes proper client information? Yes No
- Chain of custody includes proper collection information and signatures? Yes No
- Chain of custody includes dates and times of sample collection? Yes No
- Chain of custody includes proper sample descriptions? Yes No
- Chain of custody agrees with sample labels? Yes No
- Chain of custody identifies proper sample matrix? Yes No
- Chain of custody identifies proper number of samples? Yes No
- Chain of custody includes required analysis? Yes No
- Chain of custody signed when relinquished and received? Yes No
- Samples are in proper containers/bottles? Yes No
- Sample containers are intact? Yes No
- Sufficient sample volume collected for requested analysis? Yes No
- VOA vials for aqueous samples have zero headspace? Yes No Not Present
- Samples received within holding times? Yes No
- Samples received on ice? Yes No
- Sample properly preserved? Yes No

If No, adjusted by? _____ Date/Time: _____

Remarks: _____

ANY "NO" EVALUATION REQUIRES CLIENT NOTIFICATION (excluding After-Hours Receipt).

Comments: _____



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
Division of Solid Waste Management
Fifth Floor, L & C Tower
401 Church Street
Nashville, Tennessee 37243-1535

December 7, 2011

Certified Mail #7011 0110 0002 0048 5141
Return Receipt Requested

Steve Heiner, Chief Financial Officer

RE: Cost Estimate Approval for Financial Assurance Requirements
Corrective Action Order
NuSAFE, Inc.
601 Oak Ridge Turnpike
Oak Ridge, Tennessee 37803
EPA ID# TND 00 337 9112
Case Number 98-H0035

Dear Mr. Heiner:

The Division has reviewed NuSAFE, Inc.'s revised cost estimate. The Division approves the estimate, in the amount of \$4,500.00, for plugging and abandonment of wells. This is the only corrective action cost remaining that requires financial assurance. NuSAFE should **not** proceed with the plugging until after the 45-day public comment period and receipt of the Division's final determination to terminate your corrective action order. At that time, please provide a seven-day prior notice to the Division, so inspectors can observe the abandonment procedures. Mary Evans will contact you concerning the public noticing process.

If you plan to update your currently filed cost estimate, or if you have any questions or comments concerning cost estimates, please contact me by phone at (615) 532-0859 or by e-mail at Clayton.Bullington@tn.gov.

If you have any questions or comments regarding your financial assurance instrument, please contact Gary Pugh at (615) 253-6362 or Gary.Pugh@tn.gov.

Sincerely,

Clayton Bullington, Environmental Specialist 5

cc: Robert Dickinson, Manager, Financial Responsibility Group, TDEC
William Krispin, Manager, Permitting Sections, Division
Gary Pugh, Financial Responsibility Group, TDEC
Charles Burroughs, Manager, Corrective Action Section, Division