

August 6, 2004

MEMORANDUM TO: Daniel M. Gillen, Deputy Director
Decommissioning Directorate
Division of Waste Management
and Environmental Protection
Office of Nuclear Material Safety
and Safeguards

FROM: David William Nelson, Project Manager /RA/
Materials Decommissioning Section
Division of Waste Management
and Environmental Protection
Office of Nuclear Material Safety
and Safeguards

SUBJECT: MEETING REPORT FOR THE JULY 21, 2004, PUBLIC MEETING IN
BAY CITY, MICHIGAN, REGARDING THE MICHIGAN DEPARTMENT
OF NATURAL RESOURCES (MDNR) AND S.C. HOLDINGS'
DECOMMISSIONING PLANS

On July 21, 2004, U.S. Nuclear Regulatory Commission staff members conducted a public meeting in Bay City, Michigan, to receive public input on MDNR and S.C. Holdings' Decommissioning Plans. Attached is the meeting report documenting this meeting.

Attachment: Meeting Report

Dockets: S.C. Holdings (040-09022), MDNR (040-09015)
Licenses: S.C. Holdings (SUC-1565), MDNR (SUC-1581)

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*See previous concurrence

OFC	DWMEP	DWMEP	DWMEP
NAME	CBurkhalter*	DNelson*	KGruss
DATE	07/30/04	08/02/04	08/06/04

OFFICIAL RECORD COPY

MEETING REPORT

Date: July 21, 2004

Time: 7:00 p.m. to 9:15 p.m.

Place: Bay City Community Center
800 John F. Kennedy Drive
Bay City, Michigan 48706

Purpose: To Receive Public Input on Michigan Department of Natural Resources (MDNR) and S.C. Holdings' Decommissioning Plans

Attendees: See attached attendance list

Background:

MDNR submitted a Decommissioning Plan (DP) on March 3, 2003, with addendums on April 22, 2003. The DP acceptance review indicated insufficient information for a detailed technical review and the DP was rejected in August 2003. On January 30, 2004, Revision 1 of the DP was submitted and on April 22, 2004, a letter was sent to MDNR accepting the revised DP for review.

Thorium waste resides in a constructed waste cell with slurry walls and a clay cap. MDNR proposed in its DP to remove an on-site above ground leachate system, leave the thorium in the waste cell, and release the site for unrestricted use.

NRC issued a license amendment on October 10, 2001, extending the submittal date of the DP to September 30, 2003. A DP dated November 2003 was submitted and the NRC accepted the DP for review in a letter dated March 1, 2004.

Thorium contaminated soil is either in a constructed waste cell with slurry walls and capped with clay or in two small piles also covered with clay. There are also non-radiological hazardous wastes present at the site. The site is also being regulated under the State superfund law. The licensee is requesting that the thorium contamination in the small piles be moved to the constructed waste cell and release the site for unrestricted use.

There are no immediate radiological hazards at either site. The staff has not identified any major off-site environmental issues that will not be addressed during decommissioning of the facility.

Discussion:

The meeting was opened at 7:00 p.m. Ms. Claudia Craig introduced the participants and Mr. Daniel Gillen opened the meeting with a discussion of the meeting agenda, format, and ground rules for participation. Mr. Gillen then provided a general discussion about the NRC, the organizational structure of the NRC Division of Waste Management and Environmental Protection (DWMEP) and a brief overview of the decommissioning regulations. Mr. David Nelson described NRC's decommissioning regulatory oversight process, giving special attention to: (1) the DP review process; (2) activities following DP approval; (3) the decommissioning

schedule; (4) the NRC release criteria; and (5) remaining opportunities for public involvement in the decommissioning process.

Mr. Eugene Bonano, RIII NRC, described the NRC's inspection program with regard to the two sites. Mr. Bonano detailed inspection activities that may be undertaken before, during, and following decommissioning activities at both sites.

Mr. Phil Mazor, S.C. Holdings, provided a discussion of the history of the Hartley and Hartley Landfill and the S.C. Holdings site, and outlined the activities that would take place during decommissioning.

The final presentation of the evening was provided by Denise Gruben, MDNR. Ms. Gruben provided a discussion of the history of the MDNR site and outlined the activities that would take place during decommissioning.

Following the formal presentations, Ms. Craig invited meeting attendees to ask questions and/or make comments regarding the S.C. Holdings and MDNRs' DPs. Many of the questions and comments from meeting attendees were related to the possible health effects caused by leaving the thorium on-site in slurry walled waste cells with clay caps. Some attendees indicated that the S.C. Holding's waste cells contained other radionuclides and the cells had leaked non-radiological and radioactive materials. NRC staff explained that the DP review process includes an assessment of the results from surveys conducted on both sites and the consequences (dose to the public), if any, of thorium contamination leaking out of the waste cells into the environment. The staff also indicated that the DP provides plans for environmental monitoring (air and groundwater) during remediation to ensure that radioactive material is not released at the sites' boundaries during decommissioning.

Attendees questioned the appropriateness of the 25 mrem/yr unrestricted release criteria and asked if the sites would be monitored after decommissioning. The staff reiterated that NRC's criteria for unrestricted release is 25 mrem/yr and if S.C. Holdings and/or MDNR can satisfactorily demonstrate that their sites meet the 25 mrem/yr criteria, the NRC will release the site for unrestricted use and monitoring would not be required.

Attendees questioned whether areas surrounding the sites were also contaminated. Attendees asked if monitoring wells had been installed around both sites and had radiological surveys been conducted in areas surrounding both sites. Some questioned why animals had not been captured and examined for the presence of radioactive contamination.

Attendees also asked about the potential for recontamination during operation of the leachate collection system on the MDNR site and the operation of the proposed leachate collection on the S.C. Holding's site. The NRC staff indicated that the operation of the leachate systems would be examined closely during the DP review process.

The State of Michigan, Department of Environmental Quality, requested that NRC continue to consult with the State throughout the decommissioning process.

The meeting was adjourned at 9:15 p.m.

Actions

Add Todd and Peggy Hopkins to both sites' mailing lists.

ATTENDANCE LIST

(Spelling approximated for some names)

T. Gieiermann
A. Jeske
Todd Hopkins
Peggy Hopkins
David Nelson
Claudia Craig
Daniel Gillen
Mike McCann
Eugene Bonano
Denise Gruben
Phil Mazor
Linda Hicken
Joe Degrazia
Jan Strasma
Jeff Kart