

MEMORANDUM TO: Eric Leeds, Acting Chief
Licensing and International
Safeguards Branch
Division of Fuel Cycle Safety
and Safeguards, NMSS

THRU: Charles W. Emeigh, Section Chief
Licensing Section
Licensing and International
Safeguards Branch
Division of Fuel Cycle Safety
and Safeguards, NMSS

FROM: Leslie Fields, Project Manager
Licensing Team 1
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Division of Fuel Cycle Safety
and Safeguards, NMSS

SUBJECT: FANSTEEL/NRC MEETING SUMMARY DATED FEBRUARY 15, 2000

On February 15, 2000, NRC staff met with representatives of Fansteel Inc. and their contractor Earth Sciences, Inc. to discuss the forthcoming Environmental Report (ER) and general issues associated with NRC's review of Fansteel's Decommissioning Plan dated August 1999. The meeting began with introductions, followed by discussion of the ER and the decommissioning plan, concluding with discussion of institutional controls.

The Division of Waste Management (DWM) Environmental Review Team provided informal observations and clarification regarding the draft ER outline. Specifically, the staff emphasized that this information exchange and others will continue to be available to Fansteel. Further, this effort is consistent with the current office initiative to make clarifying information exchanges available prior to submittal of the environmental report and better facilitate both the report development and review, with the overall goal of reducing the number of requests for additional information (RAI) to licensees.

In response to Fansteel's request, the staff clarified that, at present, the proposed decommissioning action at the Fansteel site and restricted release pursuant to 10 CFR Part 20 will involve the development of an Environmental Impact Statement (EIS). Additionally, since Fansteel is expecting its operations to continue for a prolonged period of time before termination of its license, the staff explained the potential for circumstances to develop which may necessitate development of supplemental environmental analyses. Further, Fansteel indicated that it intends to prepare an ER consistent with the development of an EIS, including completion of necessary consultations with Historic Preservation contacts and the Fish and Wildlife Service. Subsequently, the staff clarified that (1) Fansteel will need to coordinate with NRC Headquarters staff prior to initiating such consultations and (2) the consultations can be documented in the ER. In response to Fansteel's questions, the staff also clarified that the ER should describe and discuss all reasonable alternatives and not be limited to presentation of only those preferred or considered the most feasible by Fansteel.

Initial DWM decommissioning staff observations were discussed regarding the containment cell decommissioning plan, consistent with the overall goal to minimize RAI's. During the discussion of the hydrology and flooding analysis, Fansteel agreed to provide more detailed information pertaining to probable maximum floods and sequential flood analyses. In response to staff observations regarding the Treatability Study Report, Fansteel indicated that the report was intended to be a feasibility study and that further chemical analyses will be provided. Additionally, Fansteel will revise the RESRAD modeling parameters to ensure consistency with site conditions.

OGC staff provided questions regarding institutional controls that should be addressed to facilitate the approval of a legal custodian. It was mentioned that regulatory guidance is currently being prepared to present an example of a decommissioning funding plan submittal. In response to questions as to whether or not a long term custodian has been selected, Fansteel mentioned that they have entered into serious talks with Cherokee Nation and are working on a formal proposal. It was suggested that another meeting be held with all parties involved to discuss issues concerning institutional controls.

Fansteel mentioned that they are interested in having the containment cell approved by the time the first waste pond is emptied. Fansteel stated that they are planning to submit an ER to the NRC by the end of July. OGC staff stated that the Cherokee Nation has requested a meeting to discuss issues concerning institutional controls. The arrangements for the forthcoming institutional control meeting have yet to be determined.

Mr. John Hunter of Fansteel has reviewed this document and has no objection to the content. All comments have been enclosed.

Docket 40-7580
License SMB-911

Attachment: "Questions and Answers Related to Fansteel Inc.'s,
Decommissioning Plan"

cc: Mr. John J. Hunter
Corporate Manager of Process
Engineering and
Facilities Construction
Fansteel, Inc.
Number Ten Tantalum Place
Muskogee, Oklahoma 74403-9297

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