



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19406-1415

August 8, 2000

David J. Allard, CHP
Director
Bureau of Radiation Protection
Pennsylvania Department of Environmental Protection
Rachel Carson State Office Building
P.O. Box 8469
Harrisburg, PA 17105-8469

SUBJECT: Action Items From May 8, 2000 NRC/DEP Meeting

Dear Mr. Allard:

Thank you for your letter of June 13, 2000 summarizing NRC/DEP staff discussions related to management of decommissioning projects in Pennsylvania. We have reviewed the item summaries identified under each site and provide the following comments.

1. Safety Light Corporation

- a. Site Remediation Plan and Schedule due to NRC and DEP for review:
June 30, 2000.

The schedule for submittal of the Site Remediation Plan has been changed to December 31, 2000.

- b. Results of legal review by NRC OGC due: May 30, 2000.

Results of the legal review by our Office of General Counsel is with the Commission. As I have indicated to you, the Commission will determine its availability outside the NRC.

- c. NRC meeting with SLC planned: June 26, 2000; and

- d. Follow-up meeting between NRC/DEP to discuss Safety Light in detail to be scheduled in July.

As we have discussed, the meeting is scheduled for August 17, 2000 at 10:30 a.m. at NRC Headquarters in Rockville.

2. Westinghouse Waltz Mill

- a. NRC to provide DEP with licensee's response to December 21, 1999 DEP letter.

Westinghouse did not submit a written response to the December 21, 1999 DEP letter. but incorporated the comments in their Work Plan, where appropriate.

- b. NRC to set up NRC/DEP meeting with Westinghouse to discuss December 21, 1999 DEP letter, and obtain clarification of licensee's financial assurance for cleanup.

We will contact your staff and Westinghouse and determine whether additional discussion is needed among NRC, DEP, and the licensee.

3. Whittaker Corporation

- a. Risk analysis due to NRC (copy requested for DEP): June 2000.

The final evaluation of site sampling has not been completed. This has delayed the risk assessment.

- b. NRC to advise DEP of date for July 2000 meeting with licensee.

After the risk assessment is finalized, a meeting will be scheduled and we will inform you of the date.

- c. Decommissioning Plan due to NRC and DEP for review: December 2000.

No change in submittal date has been indicated by the licensee.

4. Babcock & Wilcox - SLDA

- a. Status meeting at NRC Headquarters every six months; NRC to advise DEP of date for each meeting.

We will continue to notify DEP when licensee meetings are scheduled; however, as discussed during the meeting, regulatory authority over the SDLA will not be transferred from NRC to the DEP when the Commonwealth enters into Agreement with the NRC.

- b. Decommissioning Plan due to NRC and DEP for review: December 2000.

There has been no change in the licensee's expected submittal date for the DP.

- c. NRC to advise DEP of schedule for each meeting of Safety Advisory Board.

We will notify DEP when licensee meetings are scheduled.

5. Kiski Valley Sewage Treatment Facility

- a. DEP suggested that NRC-OGC explore filing a claim against B&W in bankruptcy court and keep DEP advised.

The DEP suggestion was discussed with OGC staff who advised us there were no NRC issues identified which would cause a bankruptcy claim against B&W to be filed.

6. Molycorp, Washington

- a. Second Phase of Decommissioning Plan due for NRC and DEP review July 16, 2000.

The Phase 2 DP for the Washington site was received by the NRC Office of Nuclear Materials Safety and Safeguards (NMSS) on July 14, 2000 and is undergoing acceptance review by project management staff.

7. Molycorp, York

- a. NRC will provide a copy of the report that documents the results of the "extensive radiometric reconnaissance by NRC inspectors" at a impoundment that received non-licensed disposal as referenced in the March 7, 2000 NRC response to DEP comments on the Molycorp York EA.

The non-licensed offsite disposals made from the Molycorp facility prior to NRC licensing are documented in Region I inspection reports since 1981 and addressed only those locations where contamination could likely be identified. Once the Commonwealth identifies a specific location of concern, we will provide any information we have.

8. Cabot Corp., Reading

- a. Decommissioning Plan under NRC review with Sandia Lab reviewing dose assessments/scenarios, and b. target date for NRC approval: September 2000.

The Decommissioning Plan remains under NRC review with no change in the target date for approval.

9. Cabot Corp., Revere

- a. Decommissioning Plan due to NRC from licensee: January 2001

There has been no change in the licensee's expected submittal date for the DP.

D. Allard
Bureau of Radiation Protection

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10. Frankford Arsenal, DEP to provide copy of recent letter (to Army) to NRC. NRC to provide information related to radiological condition of site and facilities.

Frankford Arsenal files were made available for review to a DEP representative following the meeting. As you and I agreed, your staff will make arrangements to review the file in detail and we will provide copies of pertinent documents. Your staff has provided the April 25, 2000 DEP letter to the Army. We would appreciate being advised of any response you receive.

Please note that Decommissioning Plans for the Safety Light Corporation, Whittaker, and Molycorp sites required by 10 CFR 30.36 (g)(1) and 10 CFR 40.42(g)(1) will be reviewed and approved by the NRC. We have found that early involvement of State and local officials and the public in decommissioning projects enhances confidence that facility decommissioning will be carried out efficiently. To this extent, we expect to coordinate review and comment of Decommissioning Plans with the DEP following licensee submittal.

We believe the opportunity to foster open communications between our staffs on current site decommissioning issues was beneficial. Thank you for your cooperation.

Sincerely,

/RA by Francis Costello Acting For/

George Pangburn, Director
Division of Nuclear Materials Safety

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June 13, 2000

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REGION I
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Dear George:

We appreciated the opportunity to have met with the NRC on May 8, and believe it was a very productive meeting. As you recall at the end of the meeting a summary of the anticipated action items was discussed, and I thought it would be helpful if these were written down as a future reference for both of our organizations.

Accordingly, I am listing those actions that we noted from our discussions. Your comments regarding any changes or additions to the following list would be appreciated.

ACTION ITEMS FROM 5/8/00 NRC/DEP MEETING

PENNSYLVANIA – SDMP SITES

1. Safety Light Corp.
 - a. Site remediation plan and schedule due to NRC and DEP for review: 6/30/00
 - b. Results of legal review by NRC OGC due: 5/30/00
 - c. NRC meeting with Safety Light planned: 6/26/00
 - d. Follow-up meeting between NRC/DEP to discuss Safety Light in detail to be scheduled in July
2. Westinghouse Waltz Mill
 - a. NRC to provide DEP with licensee's response to 12/21/99 DEP letter
 - b. NRC to set up NRC/ DEP meeting with Westinghouse to discuss 12/21/99 DEP letter, and to obtain clarification of licensee's financial assurance for cleanup
3. Whittaker Corp.
 - a. Risk analysis due to NRC (Copy requested for DEP): June 2000
 - b. NRC to advise DEP of date for July 2000 meeting with licensee
 - c. Decommissioning Plan due to NRC and DEP for review: December 2000



June 13, 2000

4. Babcock & Wilcox – SLDA
 - a. Status meeting at NRC Hq. every 6 months; NRC to advise DEP of date for each meeting
 - b. Decommissioning Plan due to NRC and DEP for review: December 2000
 - c. NRC to advise DEP of schedule for each meeting of Safety Advisory Board

5. Kiski Valley Sewage Treatment Facility
 - a. DEP suggested that NRC-OGC explore filing a claim against B&W in bankruptcy court and keep DEP advised

6. Molycorp, Washington
 - a. Second Phase of Decommissioning Plan due for NRC and DEP review July 16, 2000

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 - a. NRC will provide a copy of the report that documents the results of the “extensive radiometric reconnaissance by NRC inspectors” at a impoundment that received non-licensed disposal as referenced in the March 7, 2000 NRC Response to DEP Comments on the Molycorp York EA
 - b. NRC will provide DEP with additional information about the locations of non-licensed disposals when provided by the licensee

8. Cabot Corp., Reading
 - a. Decommissioning Plan under NRC review with Sandia Lab reviewing dose assessments/scenarios
 - b. Decommissioning Plan target date for NRC approval: September 2000

9. Cabot Corp., Revere
 - a. Decommissioning Plan due to NRC from licensee: January 2001

10. Frankford Arsenal, DEP to provide copy of recent letter (to Army) to NRC. NRC to provide information related to radiological condition of site and facilities.

Thanks again for a useful meeting.

Sincerely,



David J. Allard, CHP
Director

cc: Denise Chamberlain

Mr. George Pangburn

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June 13, 2000

bcc: Marge Hughes
Roy Woods
Ivna Shanbaky
Jim Kopenhaver
Robert Maiers
Reading File

