

From: "Kuykendall, Joyce E SBCCOM" <joyce.kuykendall@SBCCOM.APGEA.ARMY.MIL>
To: "Dr. Tom McLaughlin - HQNRC" <TGM@nrc.gov>, "Bo...
Date: Thu, Nov 9, 2000 3:10 PM
Subject: FW: Schedule Change Request (Docket No. 40-8838-MLA)

Tom, The attached revision to our schedule was submitted by our Legal Counsel to the NRC Administrative Judge. If you have any questions let me know. Joyce

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> -----Original Message-----

> From: Giesecking, Peggy L SBCCOM
> Sent: Friday, November 03, 2000 1:16 PM
> To: Cloud, Paul; Haug, Laura (DTC Legal); Kuykendall, Joyce; Lingo, Bob;
> Manfre, John (AMC Radiation); Sheldon, Patrick; Tozzi, Kenneth MAJ (ELD)
> Subject: FW: Schedule Change Request (Docket No. 40-8838-MLA)

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> To all:

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> This request for a schedule change went out in the mail this morning. We
> are requesting an extension to the JPG LTP schedule due to the Dr. Rokke
> petition. We are asking for an additional 60 days (from 01 Dec. 00 - 30
> Jan. 01) for AMC/DA review, as well as review by the AF/FWS and an
> independent peer review.

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> We (SBCCOM) received the draft LTP today electronically. We plan to
> review internally and have our comments to CHPPM by 17 Nov. 00 in order to
> allow us 2 additional weeks for comment resolution to ensure the delivery
> date of 01 Dec. 00 to everyone.

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> I will let you know what, if anything, I hear from the NRC judges on this
> request.

> Thanks.

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> _____
> Peggy L. Giesecking
> U.S. Army Soldier and Biological Chemical Command
> Office of Counsel
> AMSCB-GC, Building E4435
> 5183 Blackhawk Road
> Aberdeen Proving Ground, MD 21010-5424

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> Phone: 410-436-4659/dsn 584-4659

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> peggy.giesecking@sbccom.apgea.army.mil

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> -----Original Message-----

> From: Giesecking, Peggy L SBCCOM
> Sent: Friday, November 03, 2000 8:44 AM

> To: Hill, Richard (Save the Valley); Murphy Judge (NRC); NRC Secretary;
> Rosenthal Judge (NRC)
> Subject: Schedule Change Request (Docket No. 40-8838-MLA)
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> Sirs,
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> Please find enclosed a request for a schedule change for submission of the
> Jefferson Proving Ground License Termination Plan under Docket No.
> 40-8838-MLA. This schedule change is being requested due to a recent
> petition filed against the Department of Defense concerning the use and
> eventual remediation of depleted uranium.
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> Hard copies of this enclosure and a certificate of service will be go out
> in the mail today.
>
> Thank you.
>
> <<Revised Schedule v2.doc>>
>
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>

> Peggy L. Giesecking
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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before Administrative Judges:

Alan S. Rosenthal, Presiding Officer
Thomas D. Murphy, Special Assistant

In the Matter of)	Docket No. 40-8838-MLA
)	
U.S. ARMY)	ASLBP No. 00-776-04-MLA
)	
(Jefferson Proving Ground Site))	November 9, 2000
)	

Request for Schedule Revision

The purpose of this correspondence is to request an additional revision to the schedule for submission of the License Termination Plan and Institutional Control Plan to both Save the Valley (STV) and the Nuclear Regulatory Agency (NRC). This additional time is being requested to allow the Department of Army to conduct a review of the draft LTP/ICP in support of license termination at Jefferson Proving Ground, as well as an independent scientific peer review. The schedule submitted with the 30 September 2000 Quarterly Status Report only called for a 30-day review by the U.S. Army Soldier and Biological Chemical Command.

The need for this Army and peer review has been precipitated due to the 08 September 2000 petition by Douglas L. Rokke to the NRC concerning the use and cleanup of depleted uranium by the Department of Defense (DoD). The Department of Army would like to ensure the draft LTP/ICP for JPG license termination does not adversely impact the DoD position on the

Rokke petition. The Licensee is requesting an additional 60 days for these reviews to help us do that.

Revised Schedule (November 2000)

Revise Draft Decommissioning Plan (DP)	92 days	01 August 2000	31 October 2000
Write Draft Institutional Control Plan (ICP)	92 days	01 August 2000	31 October 2000
SBCCOM (Licensee) Review of Draft DP and ICP	30 days	01 November 2000	30 November 2000
Dept. of Army and Peer Review of Draft DP and ICP¹	60 days	01 December 2000	30 January 2001
Submission of Draft DP and ICP to STV	N/A	01 February 2001	01 February 2001
STV Comments due on Draft DP and ICP	30 days	01 February 2001	02 March 2001
Comment resolution period on Draft DP and ICP	30 days	02 March 2001	01 April 2001
Prepare Final Draft DP and ICP	30 days	01 April 2001	30 April 2001
Final Draft DP and ICP to NRC	14 days	01 May 2001	14 May 2001

1. This internal review will include the Air Force and the Fish Wildlife Service due to their involvement with the ICP through the MOA. The increased time period will also provide for a review by various Army offices, to include the U.S. Army Materiel Command and the Army Medical Command, as well as an independent scientific review by the American Institute of Biological Sciences and the Agency for Toxic Substances Disease Registry (ATSDR).

Please note this revised schedule still provides for a 30-day review period by STV, followed by a 30-day comment resolution period to allow discussions between the Licensee and STV in the hopes of addressing STV concerns. As noted in the 30 September 2000 Quarterly Status Report, the Licensee will also consider any changes to this schedule to accommodate concerns by the STV.

This proposed schedule change has been discussed with NRC staff. They have not raised any objections to it. This revised schedule is being proposed for review and approval by both the Board and STV.

The Licensee also would like to correct a statement made in the 30 September Quarterly Status Report. On page 3 of this report, the first line states " the Air Force will retain use of a

bombing range which is also included in the DU Impact Area.” This line should state “ the Air Force will retain use of a bombing range, part of which is just north of the DU Impact Area.” I apologize for any confusion this may have caused.

Dated this Thursday, November 09, 2000

Peggy L. Giesecking
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