

RAS 2445

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
10/15

00 NOV 30 AM 51

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before Administrative Judges:

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

OFFICE OF
ADMINISTRATIVE
JUDGES

In the Matter of)	Docket No. 40-8838-MLA
)	
U.S. ARMY)	ASLBP No. 00-776-04-MLA
)	
(Jefferson Proving Ground Site))	November 3, 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 Friday, November 03, 2000

Peggy L. Gieseking

Peggy L. Gieseking
U.S. Army Soldier and Biological
Chemical Command
5183 Blackhawk Road
Office of Counsel, AMSSB-SCC
(Building E4435)
Aberdeen Proving Ground, MD
21010-5424

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

000 NOV 30 10:51

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 3, 2000
)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Request for Schedule Revision have been served upon the following persons by U.S. mail, first class.

Office of the Secretary
Office of Commission Appellate Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Alan S. Rosenthal, Presiding Officer
Atomic Safety and Licensing Board Panel
Mail Stop-T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Thomas D. Murphy, Special Assistant
Atomic Safety and Licensing Board Panel
Mail Stop-T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Richard Hill, President
Save the Valley, Inc.
P.O. Box 813
Madison, IN 47250

DATE: 11/3/00

Peggy L. Giesecking
Peggy L. Giesecking
U.S. Army Soldier and Biological
Chemical Command