

January 3, 2001

Mr. Kurt M. Haas
Site General Manager
Big Rock Point Plant
Consumers Energy Company
10269 US-31 North
Charlevoix, MI 49720

SUBJECT: BIG ROCK POINT PLANT - CONSUMERS ENERGY COMPANY LICENSE
AMENDMENT REQUEST REVISION TO DEFUELED TECHNICAL
SPECIFICATIONS RE: BULK MATERIALS CONTROL PROGRAM
(TAC NOS. MA9788 and MA9966)

Dear Mr. Haas:

On August 10, 2000, Consumers Energy provided a proposed license amendment to establish a Bulk Materials Control Program (BMCP) in your Defueled Technical Specifications (DTS) for the Big Rock Point (BRP) plant. The submittal included a proposed Limiting Condition for Operation (LCO) for instrument detectability of cobalt-60 and cesium-137, surveillance, Bases, and definitions, one of which seeks to define what is "radiologically clean." You requested approval of this DTS amendment by August 10, 2001.

As you describe in your submittal, the BMCP would be implemented for solid materials (i.e., demolition debris) resulting from the decommissioning of BRP facilities. These facilities would include administrative buildings as well as potentially contaminated structures such as those that once contained primary and secondary systems and components. You describe that approximately 85 million pounds of demolition debris would be processed by the BMCP and that BMCP material would be deposited in State of Michigan-licensed landfills. You state that no recycling would occur. The radiological survey process that you propose to implement would consist of a historical records review of radiological surveys, core-bore sampling, and direct frisk followed by decontamination (as required). The final step would be radiological monitoring of the bulk demolition debris prior to its removal from the BRP site. This bulk monitoring would occur at the radiation detectability levels detailed in your proposed DTS LCO and as further described in the BMCP. Your evaluation of the potential radiological dose posed by the material is 1 mrem/year to a member of the public.

After careful consideration, the NRC staff concludes that your request cannot be processed as proposed. Fundamental to this conclusion is your proposal to perform radiological surveys to predetermined instrument detectability levels and to declare the solid material "radiologically clean" if licensed material (10 CFR 20.1003) is not detected. In other words, your proposed DTS establishes a clearance standard based on instrument detection capabilities. This is contrary to Commission direction in SECY-98-028, "Regulatory Options for Setting Standards on Clearance of Materials and Equipment Having Residual Radioactivity," which specifically directs the staff to focus on dose-based regulatory options and not a detectability standard.

Based on your evaluations, radiological survey processes, and proposed actions, the staff currently believes that the central proposition at hand (i.e., the burial of demolition debris with negligible dose in a controlled landfill to reasonably preclude recycling) would not constitute a condition adverse to public health and safety or the environment and would minimize public dose, transportation hazard, and ratepayer expenditure. In order to seek NRC approval of your proposed plan, the principal regulatory process to use would be a 10 CFR 20.2002 submittal that clearly states (1) a description of the waste containing licensed material, (2) analysis and evaluation of pertinent information of the nature of the environment, (3) the nature and location of other potentially affected licensed and unlicensed facilities, and (4) the analyses and procedures to ensure that doses are maintained as low as reasonably achievable (ALARA) and within the dose limits of 10 CFR Part 20. Should you resubmit and your proposal be found acceptable, the NRC's supporting safety evaluation will address each of the four 20.2002 criteria and will make a conclusion that the subject material is acceptable for disposal in the manner described by your application.

In summary, we have currently ceased all review activities associated with your August 10th submittal because of the policy and technical considerations discussed above. Please inform us in writing within 60 days of this letter of your decision to either resubmit as a 10 CFR 20.2002 request or withdraw your docketed proposal. If you have any questions regarding staff disposition of your proposed license amendment, please call Mr. Paul Harris at 301-415-1169.

Sincerely,

/RA/

Stuart A. Richards, Project Director
Project Directorate IV & Decommissioning
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-155

cc: See next page

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Big Rock Point Plant

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