

January 25, 2001

Ms. Joyce Kuykendall
U.S. Army Soldier and Biological Chemical Command
AMSSB-RCB-RS
5183 Black Hawk Road
Aberdeen Proving Ground, MD 21010-5423

SUBJECT: LISTING OF POTENTIAL DISCUSSION AREAS FOR THE
JEFFERSON PROVING GROUND ENVIRONMENTAL REPORT

Dear Ms. Kuykendall:

I am writing in follow-up to the January 5, 2001, phone call discussion regarding the Nuclear Regulatory Commission (NRC) request for an environmental report (ER) (10 CFR Part 51) on Jefferson Proving Ground (JPG). Our discussion concluded with the decision to provide examples of the information that the Army ER should address. Consequently, we are providing the enclosed information to assist you in the development of the Army's ER to NRC.

The information provided is not intended to be inclusive of all the information that the Army may identify for its ER. Rather, the information provides ER discussion areas that (1) identify required content for a Federal Agency Environmental Impact Statement (EIS), (2) offer key examples of potential information updates, and (3) identify the need to focus the report toward the proposed action of NRC license termination under restricted site use. Specifically, many of the example discussion areas were developed based on the need to update information provided in the Army "Final Environmental Impact Statement for Disposal and Reuse of the Jefferson Proving Ground, Madison, Indiana," dated September 1995. Further, these examples support the potential NRC use of the Army 1995 EIS, as described in Enclosure 2 of my November 15, 2000, letter to you.

As previously discussed, the overall function of the ER will be to update and complete the information to NRC so that NRC can prepare an EIS for the JPG decommissioning action. Further, the ER will be a publicly available document. Hence, the ER will assist with providing both the public and NRC reviewers with information relative to the JPG proposed action.

The excerpt guidance pages in Enclosure 2 may be of further assistance to you, as they provide a brief overview of the NRC EIS process and a general description of an ER. If you

Ms. J. Kuykendall

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have any questions regarding this letter, please phone Susanne Woods at (301) 415-7267 or Tom McLaughlin at (301) 415-5869. Further, these staff members will contact you to schedule a meeting to discuss questions you may have concerning the ER.

Sincerely,

/RA/

Charlotte Abrams, Chief
Environmental and
Low Level Waste Section
Environmental and Performance
Assessment Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

License No. SUB-1435

Docket No. 040-08838

Enclosures:

1. Potential Jefferson Proving Ground Environmental Report Discussion Areas
2. NUREG/BR-0241, "NMSS Handbook for Decommissioning Fuel Cycle and Materials Licensees" (December 1996), pp. N-1 through N-6

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**Enclosure 1: Potential Jefferson Proving Ground
Environmental Report Discussion Areas**

A. General Information

1. The information provided in this enclosure provides example environmental report (ER) discussion areas. Further, this information is intended to supplement the environmental impact statement (EIS) outline and guidance (websites and other documents) previously provided in the November 15, 2000, letter from NRC.
2. The ER information should not be limited by the current Nuclear Regulatory Commission (NRC) licensed site boundaries for Jefferson Proving Ground (JPG). Rather, the report should include, as applicable and available, information that identifies the environmental conditions and impacts beyond the site boundaries. This is a requirement for Federal EIS analyses. Similarly, the EIS process is required to identify and analyze all impacts, including impacts other than those resulting from depleted uranium (DU) and the associated radiation.
3. The June 1999 revised Decommissioning Plan (DP) for JPG (submitted to NRC on August 24, 1999) provides more recent information than the Department of the Army (Army) 1995 Final JPG EIS. For example, the June 1999 DP provides some (1) updated site descriptions, (2) characterization of depleted uranium deposition, (3) information on costs and benefits, and (4) discussion of alternative decommissioning actions. This more recent information, as it appears in the 1999 DP or any other document provided to NRC, should be reviewed and referenced (e.g., applicable sections, pages, etc.) in the report. Further, applicable information appearing in the pending revised DP (scheduled for 2001 submittal), should be referenced in the ER.

B. Information in the Army 1995 Final Environmental Impact Statement

The baseline of the document is stated as 1989, prior to base closure. Hence, this 1989 dated information will need to be updated. Further, information specific to an environmental impact statement analysis which is older than five years typically requires updating, unless a specific review of the information is completed with written assurance that the information is still current. Information reviewed by the Army, but not requiring updating or any other revision, should be clearly identified in the ER.

The 1995 EIS provides discussion of encumbered and unencumbered site release conditions at high, medium, and low levels of activity (reference explanations in Sections 3.3.2 -3.5). However, this ER will need to focus on the Army proposed action before NRC, the related activities, and the alternatives to the proposed action.

Chapter 1

1. The 1995 EIS purpose (Section 1.1) addresses decisions and materials other than DU and the proposed NRC license termination under restricted conditions (as defined in 10 CFR Part 20). The ER should include a clear description of the current Army purpose that is focused on the current proposed action. Information about the other materials and hazards at the site should be updated, but not as part of the purpose.
2. The Army's need [i.e., reason(s)] for the current proposed action (e.g., why JPG?; why now?; what is the benefit from the proposed action?, etc.) is not likely to differ greatly from that

of the 1995 EIS (Section 1.1.), but should be reviewed and revised as applicable. You may choose to provide additional statements of need that focus on DU at the site and the proposed action. Please note that compliance with a regulation is not considered “need” for use in an EIS.

3. Review and update the information in Section 1.2. Specifically, the ER should include a brief description of the history leading to the current proposed action, including the scope of the 1995 EIS effort and the scope of any related analyses or other efforts subsequent to 1995.

4. Update the Installation Restoration Program (IRP) discussion (Section 1.4.7) to identify information about Army IRP actions for JPG, including results for the potential studies and reports mentioned in this section.

5. As applicable, update the listing and descriptions of statutes, executive orders, and other requirements (e.g., Pryor Amendment; CERCLA/CERFA; permits; agreements; new regulations, etc.). Army actions and current standing with requirements on this list need only be briefly summarized. For current and pending agreements, timetables for completion and any future site use constraints should be identified.

As a specific example, the National Historic Preservation Act (identified on page 1-9 of the 1995 EIS.) was revised in 1999. Historic listings on or near the JPG site that were pending in 1995 may now be on the National Register of Historic Places. Others may be newly identified and in a pending status for historic listing.

Chapter 2

1. Since the Army 1995 proposed action (Chapter 2) is now being focused toward the request to terminate the NRC license with restricted release of the site, the ER information should reflect this change. Further, since the Army revised DP (pending submittal in 2001) will describe many of the details of the proposed action, the ER should reference this document and briefly summarize the proposed action. Further, the ER should include information needed for the NRC EIS which is not reflected in the DP, but is indicated in this Enclosure and in the EIS outline provided.

2. Supporting information provided in Chapter 2 of the 1995 EIS should still be reviewed and updated (e.g., figures). Further, maps identifying current site boundaries, site areas, pending site areas, and the site surroundings should be provided in the ER or referenced from other documents available to NRC. Maps or well drawn diagrams will need to clearly identify the following example information in support of the affected environment discussions and impact analyses:

A. The JPG site relative to the many county lines that it crosses and major towns and other populous areas near by, including natural and major landmarks (e.g., rivers, streams, roads, etc.);

B. The JPG site relative to the immediate surrounding community, including nearby residential housing, farms, and commercial facilities that are near the site boundary or are at some distance and may be considered for the cumulative impacts analyses.

C. A separate map/diagram locating the current and pending archeological and historic

landmarks will be needed for the impact analysis. However, as a matter of practice, this information and any other information specifically identifying the locations of such sites is not made publicly available. Consequently, we request that specific location information and maps/diagrams be provided in a separate enclosure forwarded with the ER. Each page should be clearly labeled, "Not for public release."

D. Map/diagram the DU impact area relative to the overall impact area and site boundaries. For example, the previous revision to the JPG DP (dated June 1999) indicates an elliptical shape to the DU impact area. The basis for any approximations used for this map/diagram should be identified in the ER and/or reference corresponding information appearing in the pending DP revision.

E. Map/diagram the proposed monitoring sites for the proposed action as well as the alternatives.

3. Update the actions and studies indicated in Chapter 2. Example actions include the following: 1990 Master Environmental Plan; RCRA Assessment by EPA; remedial investigation (1995 EIS estimates 1997 completion date); feasibility study (proposed follow-up to the remedial investigation); description of nine sites prepared for voluntary removal of contaminant sources; parceling; potential redevelopment application(s); and Army "environmental reports" to identify land use restrictions prior to land transfer. Many of these actions and studies were to be completed after the 1995 EIS was finalized. Clarify where the actions occurred and briefly describe the results. If these studies were not conducted, the ER should explain why. Copies of studies providing information about the DU at JPG and environmental studies should be included.

4. Update the status and relevant environmental review actions of the various committees mentioned in the 1995 EIS (e.g., the Local Re-Use Committee identified in Section 2.2.7).

5. Provide a description of the activities for both the proposed action and the reasonable alternatives identified by the Army. For example, excavation [e.g., if shallow DU excavation is provided as a reasonable alternative (reference Chapter 3 alternatives information below)], transport, grounds maintenance (e.g., controlled burning), or construction should be described. A discussion of related impacts such as generated dust, noise, or radiological exposure should be included.

6. A detailed description of any proposed monitoring and mitigation activities associated with the proposed action should be included in the ER. Mitigation activities can be thought of as those Army actions that will reduce the potential impacts from the proposed action.

7. The caretaker description in Section 2.3 appears to include information that the Army may choose to reference in the discussion of its proposed action and alternatives.

8. Update the status of the twelve re-use study areas that are identified in Section 2.4.

Chapter 3

1. The alternatives discussed in this chapter are applicable to the Army 1995 proposed action and decisions made in its EIS. However, the Army ER should clearly identify and discuss the specific Army alternatives relevant to the proposed action that will be before NRC. These

alternatives are typically focused on different decommissioning options. Section 6.0 of NUREG-1727, "NMSS Decommissioning Standard Review Plan," (dated September 2000; copy forwarded from NRC with the previous November 15, 2000 letter) provides guidance on selecting alternatives.

An EIS typically discusses three types of alternatives: (1) the no-action alternative (i.e., status-quo), used as a baseline for comparison during an EIS; (2) alternatives that are specified as reasonable options to the proposed action (as applicable) and why they are considered reasonable; and (3) alternatives that were identified but did not warrant further consideration (as applicable). Information provided in the 1995 EIS, as well as the June 1999 JPG revised DP, indicate that the Army considered and evaluated all three types of alternatives. The June 1999 document appears to indicate the following alternatives that should be included with the listing of either reasonable alternatives or alternatives identified but eliminated from further consideration: (1) restricted release of the site with use only as a wildlife refuge; (2) restricted release of the site with both a wildlife refuge and cleared unexploded ordinance for development of public access via roads and trails, etc.; (3) shallow DU excavation; and (4) removal of surface DU only, as occurred during scoping surveys at JPG. In summary, the ER should identify and discuss the following with regard to alternatives: (1) clarify and discuss all three types of alternatives; (2) include the four alternatives described in the June 1999 document and any other alternatives you identify, specifying which type of alternative each is to be considered; (3) provide a brief explanation for why further analysis and consideration were ruled out for each alternative identified as "no further consideration warranted;" and (4) provide a more detailed discussion for the reasonable alternatives and no-action alternative (e.g., impacts) identified in the ER.

2. A brief description of the impacts, as well as applicable monitoring and mitigation activities associated with each identified reasonable alternative should be included in the ER.

3. Identify the screening criteria (e.g., safety, cost, radiation exposure, etc.) used to determine and evaluate reasonable alternatives as well as compare these alternatives to the proposed action.

Chapter 4

1. In addition to necessary updates of the information appearing in the text and figures in Chapter 4, descriptions of pending and current uses of the site will be needed. For example, the U.S. Department of Interior, Fish and Wildlife Service, activities being considered at the site are likely to result in impacts that should be considered during NRC analysis of reasonably foreseeable impacts.

2. The ER should include descriptions of the DU at the site, as well as other hazards. Since information on DU is likely to appear in the pending JPG DP revision, the ER may reference specific sections of this document.

3. The description of both the site and surrounding area appear to require updating from the description of the 1989 affected environment prior to base closure, including such information as visual, scenic, and noise changes.

4. Include any new land-use classifications (e.g., wetlands) or descriptions on or near the site.

5. Information appearing in the tables presented in Chapter 4 appears to be outdated and should be reviewed. For example, Table 4-10 is based on 1994 information (Section 4.12.3) and Table 4-12 provides 1992 information (Section 4.14.3). Indicate which information requires updating and provide the updated information to the extent that it is available to the Army. Include the source(s) of such information.
6. Descriptions of principal farming crop production, average yields, pasture intakes, and growing seasons, as well as fishing and game yields should be reviewed. Indicate which information requires updating and provide the update to the extent that it is available to the Army. Include the source of such information. Further, a description of the training and permitting required before members of the public are permitted to hunt on the site should be briefly described in the ER.
7. Because the NRC EIS must consider all impacts, contaminants, and hazardous materials at the site should be identified and discussed in the ER. If the discussion includes numerous locations, include a map or diagram of the locations. Indicate which contaminants and hazard locations have been determined by direct measurement and the type of measurement (e.g., instrument and/or protocol). Identify applicable computer modeling programs used.
8. Changes to applicable listings of state or federally endangered and threatened species or special concern species (Section 4.12.5 and 4.12.6) may have occurred since publication of the 1995 EIS. This information should be updated in the ER or described as reviewed and needing no further update.
9. The ER should specifically discuss site vegetation and aquatic environments, including their significance and use both on and off-site.

Chapter 5

1. Both the positive and negative impacts (“environmental and socioeconomic consequences”) relevant to the proposed action and the current affected environment should be discussed in the ER. Available updated information on cumulative impact analysis, short and long term impacts, irreversible (i.e., one-way) and irretrievable impacts (i.e., considered permanent), as well as direct (i.e., same time and location) and indirect (i.e., later in time or distance) impacts should be included in the ER. Additionally, information about other facilities (immediate or surrounding vicinity) with known or likely impacts in common with JPG should be provided in an effort to facilitate the cumulative impacts analysis.
2. The ER should include discussion of the impacts from the proposed action, reasonable alternatives, and the no-action alternative (see discussion above, under the Chapter 3 listing). The Army’s impact assessment may be based on a qualitative analysis, but should include quantitative data as it is available.
3. Public health and safety (Section 5.4.4) relative to potential radiation exposure will appear in the pending DP revision and should be referenced in the ER. Any potential for off-site impacts should also be evaluated in the ER and/or referenced in the pending DP revision.
4. Impacts to historical and archeological sites should be discussed. Provide references to specific location information separately, as discussed in Item 2.C. of the Chapter 2 listing above.

5. Review and revise as appropriate, waste management descriptions in Section 5.4.14 to include discussion that focuses on the proposed action, reasonable alternatives, and no-action alternative.
6. Provide information on any changes in land use, including impacts that may occur from bombing of the impact area (e.g., via the Army National Guard). This information will assist with NRC's cumulative impact analysis and other impact analysis.
7. Erosion effects appear in the June 1999 revised DP. The ER should discuss such information, and/or reference discussions provided in the pending JPG DP revision.
8. Specific effluent-type releases will need to be identified for impact analysis.

C. Additional ER Information

1. The ER should include information regarding impacts from likely natural events at the site (e.g., tornadoes, floods, earthquakes) and potential accidents (e.g., transportation accidents). The ER should discuss the likelihood that such events will occur in a qualitative way and include statistical or other quantitative data as it is available.
2. Identify and describe any additional information or studies relative to the environmental conditions and impacts at JPG (e.g., pending or completed studies that may address information about unexploded ordinance and/or DU in the environment).
3. Briefly discuss any pathway analyses completed and relevant public exposures for both radiological and non-radiological concerns. Reference sections in the pending DP revision, where applicable.
4. The ER should include a separate qualitative discussion of cost and benefit analysis, with quantitative information provided if available. This discussion may include or reference information from the alternatives discussions.