

April 25, 2001

Kelli Sobel
Administrative Services Deputy
Michigan Department of Natural Resources
P.O. Box 30028
Lansing, MI 48909

SUBJECT: AMENDMENT NO. 1 TO SOURCE MATERIALS LICENSE NO. SUC-1581 TO
EXTEND THE DUE DATE OF THE DECOMMISSIONING PLAN (TAC #L60509)

Dear Ms. Sobel:

We reviewed your letter dated March 15, 2001, requesting one year time extension to submit the decommissioning plan (DP) by August 31, 2002, under the U.S. Nuclear Regulatory Commission (NRC) License SUC-1581 for the Tobico Marsh State Game Area Site Decommissioning Management Plan (SDMP) site. We also reviewed Ms. Denise Gruben's January 18, 2001, letter requesting changes to addresses and office names referenced in the license. In accordance with Condition 11A of your NRC License SUC-1581, the DP is due to be submitted to the NRC no later than August 31, 2001. Your March 15, 2001, letter indicates that due to unforeseen waste disposal patterns discovered during site characterization work, additional investigations were undertaken to delineate those wastes, and wastes were discovered deeper resulting in additional samples and duplicate analyses requiring more time for laboratory analysis and interpretation within the larger data set. In addition, your letter also indicates that the alternate schedule is necessary to the effective conduct of decommissioning operations, presents no undue risk from radiation to the public health and safety, and is otherwise in the public interest [10 CFR Part 40.42(g)(2)].

Therefore, based on the information provided in your March 15, 2001, letter and pursuant to 10 CFR 40.42(g)(2), NRC approves extension of time to submit the DP no later than August 31, 2002. Based on Ms. Denise Gruben's January 18, 2001, letter, the address in the license is changed as requested from "611 W. Ottawa Street, Lansing, MI 48933" to "530 W. Allegan Street, Lansing, MI 48933". However, with regard to the 2nd item in Ms. Gruben's letter, the title of the Radiation Safety Committee (RSC) member is not specifically referenced in the NRC license. Therefore, no action is taken regarding the title change of the RSC member. However, the title of the RSC member will be maintained for future use.

The NRC staff has concluded that this license amendment concerns administrative changes and meets the requirements, for a categorical exclusion in accordance with 10 CFR 51.22(c)(11), because: (i) there is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite; (ii) there is no significant increase in individual or cumulative occupational radiation exposure; (iii) there is no significant construction impact; and (iv) there is no significant increase in the potential for, or consequences from radiological accidents. Therefore, neither an environmental assessment nor an environmental impact statement is required.

Ms. Sobel

2

License Conditions 2 and 11A dated August 26, 1999, are revised as follows:

2. 530 W. Allegan Street
Lansing, MI 48933

11. Conditions:

A. MDNR shall submit, by license amendment request, no later than August 31, 2002, a Decommissioning Plan (DP) for the MDNR Tobico Marsh site, meeting the requirements of 10 CFR 40.42(g)(2). The DP will include site characterization information necessary to support the DP and a revised decommissioning funding plan, that includes a revised cost estimate and financial assurance mechanism in accordance with 10 CFR 40.36, for the preferred decommissioning approach.

All other conditions of this license shall remain the same. Please review the enclosed revised License SUB-1581. If you have any questions concerning this amendment, please contact Sam Nalluswami, of my staff, at (301) 415-6694.

Sincerely,

/RA/

Larry W. Camper, Chief
Decommissioning Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

Docket No.: 40-9015
License No.: SUC-1581

Enclosure: NRC License SUC-1581

cc: w/o encl: MDNR Distribution List

Ms. Sobel

2

License Conditions 2 and 11A dated August 26, 1999, are revised as follows:

2. 530 W. Allegan Street
Lansing, MI 48933

11. Conditions:

A. MDNR shall submit, by license amendment request, no later than August 31, 2002, a Decommissioning Plan (DP) for the MDNR Tobico Marsh site, meeting the requirements of 10 CFR 40.42(g)(2). The DP will include site characterization information necessary to support the DP and a revised decommissioning funding plan, that includes a revised cost estimate and financial assurance mechanism in accordance with 10 CFR 40.36, for the preferred decommissioning approach.

All other conditions of this license shall remain the same. Please review the enclosed revised License SUB-1581. If you have any questions concerning this amendment, please contact Sam Nalluswami, of my staff, at (301) 415-6694.

Sincerely,
/RA/

Larry W. Camper, Chief
Decommissioning Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

Docket No.: 40-9015
License No.: SUC-1581

Enclosure: NRC License SUC-1581

cc: w/o encl: MDNR Distribution List

AN:

TEMPLATE: NMSS/RGN-001

This document should /X/ should not / / be made available to the PUBLIC _____ 4 / /01

DISTRIBUTION:

File Center DCB r/f NMSS r/f E.Kulzer, RIII

DOCUMENT NAME: C:\mdlicam3.WPD *see previous concurrence

OFC	DCB	DCB	DCB	OGC	RIII	DCB
NAME	S. Nalluswami	C. Burkhalter	R.Nelson	S.Lewis	B.Jorgensen	L. Camper
DATE	4/ 19/01	4/ 19/01	4/ /01	4/23/01	4 /20/01	4 /25/01

OFFICIAL RECORD COPY

MATERIALS LICENSE

Amendment No. 1

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and the applicable parts of Title 10, Code of Federal Regulations, Chapter I, Parts 19, 20, 30, 31, 32, 33, 34, 35, 36, 39, 40, 51, 70, and 71, and in reliance on statements and representations heretofore made by the licensee, a licensee is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

Licensee		
1. Michigan Department of Natural Resources		3. License Number SUC-1581
2. 530 W. Allegan Street Lansing, MI 48933		4. Expiration Date August 31, 2009
		5. Docket or Reference 040-09015
6. Byproduct, Source, and/or Special Nuclear Material	7. Chemical and/or Physical Form	8. Maximum Amount that Licensee May Possess at Any One Time Under This License

A. Thorium	A. Contaminated soil, sludge sediment, trash, building rubble, structures, and any other material contaminated in excess of background levels	A. 2.6 Ci
B. Uranium	B. Contaminated soil, sludge sediment, trash, building rubble, structures, and any other material contaminated in excess of background levels	B. 0.26Ci
C. Thorium-230	C. Sealed sources.	C. 10µCi
D. Americium-241	D. Sealed sources.	D. 0.5µCi

9. Authorized use: Licensed material shall be possessed during site activities leading to the decommissioning of the MDNR Tobico Marsh site.
10. Authorized Place of use: The existing MDNR Tobico Marsh site, 2301 Two Mile and Beaver Roads, Bay County, MI 48631.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number SUC-1581

Docket or Reference
Number 040-09015

Amendment No. 1

11. Conditions:

- A. MDNR shall submit, by license amendment request, no later than August 31, 2002, a Decommissioning Plan (DP) for the MDNR Tobico Marsh site, meeting the requirements of 10 CFR 40.42(g)(4). The DP will include site characterization information necessary to support the DP and a revised decommissioning funding plan, that includes a revised cost estimate and financial assurance mechanism in accordance with 10 CFR 40.36, for the preferred decommissioning approach.
- B. If the Leachate Collection and Treatment System is ever operated, MDNR shall request approval, by license amendment request, prior to operation.
- C. The Radiation Safety Officer for this license is Denise Gruben.
- D. For equipment and materials release, MDNR shall use decontamination limits in "Guidelines for Decommission of Facilities and Equipment Prior to Release for Unrestricted Use or Termination of Licenses for Byproduct, Source, or Special Nuclear Material," Policy and Guidance Directive 83-23, August 1987.
- E. Except as specifically provided otherwise in this license, MDNR shall conduct its program in accordance with the statements, representations, and procedures contained in the application dated September 5, 1997, as supplemented on July 27, 1998, and March 8, 1999; the Radiation Safety Program, dated August 15, 1997; the ALARA Program, dated August 15, 1997; and the Training Program, dated August 15, 1997. NRC's regulations shall govern unless the statements, representations and procedures in the licensee's application are more restrictive than the

regulations.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Dated: 4/25/0

By: _____

Larry W. Camper, Chief
Decommissioning Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards