

April 27, 2001

Mr. J. William Lessig
Plant Manager
Honeywell International Inc.
P.O. Box 430
Metropolis, IL 62960

SUBJECT: NRC REGULATIONS PERTAINING TO CLOSURE OF CALCIUM FLUORIDE
SURFACE IMPOUNDMENTS (TAC NO. L31439)

Dear Mr. Lessig:

I am responding to your letters dated December 1, and December 7, 2000, requesting that the Nuclear Regulatory Commission (NRC) provide the regulatory requirements associated with closure of calcium fluoride surface impoundments (CaF₂ ponds) located in the restricted area at Honeywell International Inc., in Metropolis, Illinois. An NRC licensed facility must be in compliance with NRC regulations when discontinuing use of waste ponds. Regulatory options for this activity are as follows:

1. Conduct decommissioning as stated in 10 CFR 40.42(d).
2. Request an extension to the requirements set forth in 10 CFR 40.42(d) ,known as the timeliness rule, as described in 10 CFR 40.42 (f) or;
3. Conduct interim on-site remedial action under the current license if these remedial actions do not require review and approval by NRC pursuant to 10 CFR 40.42 (g).

A detailed description of each option is enclosed. For further evaluation of this subject, a written notification must be submitted to NRC detailing the plan of action. If additional discussion is necessary a meeting can be arranged that would be open to observation by interested members of the public. It is noted, however, that other requirements, such as those imposed by the State of Illinois, and other relevant regulatory agencies, may apply to the closure of the CaF₂ ponds. Therefore, it is important that you contact the State officials on this matter and resolve any outstanding environmental issues in a timely manner.

If you have any further requests, please contact Leslie Fields of my staff at 301-415-6267.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html> (the Public Electronic Reading Room).

Sincerely,

Daniel M. Gillen, Acting Chief
Fuel Cycle Licensing Branch
Division of Fuel Cycle Safety
and Safeguards, NMSS

Docket 40-3392
License SUB-526

Enclosure:
NRC Regulations pertaining to Closure of CaF₂ Ponds

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Sincerely,
/RA/

Daniel M. Gillen, Acting Chief
 Fuel Cycle Licensing Branch
 Division of Fuel Cycle Safety
 and Safeguards, NMSS

Docket 40-3392
 License SUB-526

Enclosure:
 NRC Regulations pertaining to Closure of CaF₂ Ponds

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| OFC | FCLB | E | FCLB | | DWM | | OGC | | FCLB | | FCLB | |
| NAME | LFields* | | PShea* | | LCamper | | Streby *NLO | | LRoché | | DGillen | |
| DATE | 04/20/01 | | 04/20/01 | | 04/ /01 | | 04/25/01 | | 04/25/01 | | 4/27/01 | |

*see previous concurrence

OPTIONS AVAILABLE FOR DISCONTINUING THE USE OF CAF₂ PONDS

1. Conduct Decommissioning of the Ponds

In order to perform decommissioning of the ponds, the licensee will have to demonstrate that the principal operating activities of the ponds have been ceased. In accordance with the requirements of the timeliness rule 10 CFR 40.42(d), the licensee may send written notification to the Commission of the future plans for release, within 60 days of ceasing activities, submit the decommissioning plan within 12 months from the date of the formal notification to deactivate the ponds; and complete decommissioning in 24 months, subsequent to the approval of the plan. If the decommissioning plan is developed to place protective covers on the ponds (cap-in-place), the plan should include supporting dose modeling information indicating the unrestricted or restricted release criteria that the licensee plans to use, in compliance with 10 CFR Part 20, Subpart E requirements on residual doses (i.e., 10 CFR 20.1402 or 20.1403). NRC will review the decommissioning plan in accordance with NUREG-1727, "NMSS Decommissioning Standard Review Plan," and the staff will conduct an environmental assessment in accordance with 10 CFR 51.21. If there is groundwater contamination at the site, the licensee will have to verify that the facility is in compliance with dose limits for individual members of the public, as stated in 10 CFR 20.1302.

Since Honeywell is currently under a Resource Conservation Recovery Act (RCRA) Consent Order, and has already cleaned and closed another on-site pond and shipped material off-site to a permanent disposal facility, Honeywell should consult with the State of Illinois (State) to determine if the cap-in-place approach would be acceptable to the State. The State's decision should be presented in the Decommissioning Plan.

2. Delay or Postponement of Decommissioning

In order to delay or postpone decommissioning of the ponds, the licensee may submit a license amendment request for a delay from the decommissioning timeliness rule as stated in 10 CFR 40.42(f). This option would allow interim storage at the ponds until such time as the licensee decides to initiate decommissioning of the entire site. The licensee may seek the Commission's approval of an alternate schedule for completion of decommissioning which verifies that postponing decommissioning is not detrimental to the public health and safety and is otherwise in the public interest. The request must be submitted no later than 30 days before notification pursuant to Section 40.42(d). A detailed explanation as to why delayed decommissioning would be protective of the public health and safety should be provided to NRC for review. A financial assurance review will be performed and staff will determine whether or not the delay to start decommissioning will adversely impact completion of decommissioning, based on loss of records, institutional memory, and decreased financial assurance. The licensee, before submitting a license amendment application to delay or postpone decommissioning, should consult with their State regulators to see if the postponement of the remediation of the waste ponds would be an acceptable alternative.

ENCLOSURE

3. Conduct On-Site Remedial Action under Current License

Lastly, NRC licensed facilities may conduct interim on-site remedial action under their current license without a Decommissioning Plan submittal if the activities have already been approved by the Commission and they will not increase potential health and safety impacts to the workers or the public. Section 40.42 (g) describes circumstances whereby a decommissioning plan would be required. If the licensee is able to conduct remediation of these outdoor ponds under the current license, the timeliness rule in 10 CFR 40.42(d)(4) stipulates that the licensee has only 24 months after cessation of principal activities in an outdoor area before providing NRC with documentation (such as a decommissioning plan if the site decommissioning procedures involves non-routine operational cleanup or maintenance) that the outdoor area does not contain residual radioactivity unsuitable for release, in accordance with NRC requirements (i.e., 10 CFR 20.1402 or 20.1403). Under this option, the licensee could proceed without a prior approved decommissioning plan to remediate the ponds, acquiring a 24 month cleanup period, but at the end of this period, the licensee must meet Part 20, Subpart E, residual dose release criteria.