

October 15, 1995

Michigan Department of Natural Resources
ATTN: Ms. Denise S. Gruben
Project Manager
Ottawa Tower North, 3rd Floor
P. O. Box 30028
Lansing, MI 48909-7528

SUBJECT: NRC INSPECTION (REPORT NO. 040-09015/95001(DNMS)) AT THE MICHIGAN
DEPARTMENT OF NATURAL RESOURCES (MNDNR) OWNED PORTION OF THE
HARTLEY AND HARTLEY LANDFILL, BAY COUNTY, KAWKAWLIN, MICHIGAN

Dear Ms. Gruben:

This refers to the routine safety inspection and pre-licensing site visit conducted by Messrs. G. McCann and J. Parrott on September 19, 1995, of activities being conducted at the MDNR portion of the former Hartley & Hartley Landfill. At the conclusion of the inspection, the preliminary findings were discussed with Mr. Michael R. Jury.

The inspection focused on the security of buried radioactive materials and posting of the landfill. The inspection consisted of observations of the site, independent measurements, and interviews with personnel. Based on the NRC inspectors findings, it was determined that the landfill site was being adequately maintained and protected.

This will also acknowledge the receipt of your revised application for an NRC license dated September 1, 1995, that was provided to the inspectors at the time of this inspection. This revised application will supersede your previous application.

In accordance with 10 CFR 2.790 of the Commission's regulations, a copy of this letter will be placed in the NRC Public Document Room.

We will gladly discuss any questions you have concerning this inspection.

Sincerely,

Original Signed By

J. W. McCormick-Barger, Chief
Decommissioning Branch

Docket No. 040-09015
License No. Non-Licensee

Enclosure: Inspection Report
No. 040-09015/95001(DNMS)

See Attached Distribution

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Ms. Denise S. Gruben

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cc w/encl: M. Jury, Michigan Department of
 Natural Resources
 M. Weber, DWM
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U.S. NUCLEAR REGULATORY COMMISSION
REGION III

Report No. 040-09015/95001(DNMS)

Docket No. 040-09015

License No. Non-licensee

Non-Licensee: Michigan Department of Natural Resources (MDNR)
Saginaw Bay District Office
Stevens T. Mason Building
P. O. Box 300288
Lansing, MI 48909-7528

Inspection Dates: September 19, 1995

Inspection Location: MDNR owned portion of the Hartley and Hartley landfill
2301 Two Mile and Beaver Roads
Bay County
Kawkawlin, MI 48631

Inspector: George M. McCann
George M. McCann
Senior Radiation Specialist

October 6, 1995
Date

Inspector: George M. McCann for
Jack D. Parrott
Project Manager

October 6, 1995
Date

Approved By: J. W. McCormick-Barger
J. W. McCormick-Barger, Chief
Decommissioning Branch

10/12/95
Date

Inspection Summary:

Inspection on September 19, 1995 (Report No. 040-09015/95001 (DNMS))

Areas inspected: This was an announced routine safety inspection and licensing site visit conducted at the MDNR Landfill site which was a portion of the former Hartley and Hartley Landfill. The inspection focused on verifying access controls to the thorium storage site; that proper postings were being utilized; that independent radiation measurements resulting from the storage of the thorium in the ground were being conducted; and to observe the toxic waste leachate collection system.

Results: MDNR's oversight of the landfill appeared to be adequate. MDNR is waiting for the NRC to issue a license to the MDNR to operate its leachate collection and filtering system. MDNR staff provided the NRC inspectors with copies of a revised license application at the time of the inspection.

DETAILS

1. Persons Contacted

- # D. Gruben, Project Manager, Office of Litigation and Program Services,
MDNR
- # M. Hartman, Environmental Quality Analyst, Environmental Response
Division, MDNR
- *# M. Jury, Environmental Quality Manager, Environmental Response
Division, MDNR

* Indicates those present at the onsite exit meeting held on
September 19, 1995.

Indicates those present at the licensing site meeting.

2. Background

The MDNR owns a 40 acre portion of land on the north side of the Hartley & Hartley Landfill. The MDNR portion includes a landfill (1.8 acres) known to contain radioactive waste. The radioactive waste is assumed to be radioactive thorium contained in magnesium alloys, soil, sludge, sediment trash, building rubble, etc. These materials were buried at the site between approximately 1950 and 1972, when the site was operated by Hartley and Hartley as a hazardous waste landfill. The slag is believed to have originated from the Wellman Dynamics Foundry in Midland, Michigan during this period.

In 1972, portions of the Hartley and Hartley Landfill were acquired by SCA Services, Inc. (SCA) and the MDNR. Hartley and Hartley continued to operate the site until 1978, when operations at the landfill were stopped.

In 1984, encapsulation measures were taken at the Hartley and Hartley Landfill and adjacent MDNR property to isolate the migration of toxic chemical wastes, along with the magnesium-thorium material.

3. Posting and Security

A. Security

NRC inspectors in the company of MDNR staff, walked the perimeter of the landfill's security fence. The fence appeared to provide adequate security to the site. However, two areas were noted where the barbed wire on top of the fence had been broken loose and was in need of repair. The MDNR staff indicated that they were going to use the fence contractor used by SCA Services, Inc., NRC (SCA) License No. SUC-1565 to have the fence repaired. Since the radioactive materials were buried under several feet of clay cap, the NRC inspectors determined that the broken wire above the fence did not jeopardize the security of the stored materials.

B. Posting

The NRC inspectors determined that the perimeter fence had "No Trespassing" signs posted on the four sides of the site. The inspectors also determined that permanent stone and metal markers were located on each of the four sides of the landfill site. These signs indicated the following: "WARNING DO NOT ENTER THIS FENCED AREA WAS THE SITE OF A CHEMICAL DISPOSAL FACILITY. THE GROUND CONTAINS CHEMICALS WHICH MAY BE TOXIC OR HAZARDOUS AND ALSO CONTAINS LOW LEVEL RADIOACTIVE MATERIAL. THE AREA HAS BEEN CAPPED AND SECURED. TRESPASSING IS STRICTLY PROHIBITED". Additionally, the southern side of the MDNR site fence was a common fence shared with SCA which was posted with "Caution Radioactive Materials" signs.

4. License Site Visit

On September 19, 1995, the NRC staff met with MDNR personnel (see Section I of this report for a list of attendees at the meeting), to receive MDNR's amended license application submittal. A commitment was made to the MDNR personnel that the amended license application would receive a completeness review within the next 30 days.

5. Independent Measurements

The NRC inspectors performed general direct area survey measurements during the site tour. The inspectors used a Ludlum Model 3 (NRC Tag No. 045631, calibrated June 15, 1995) to perform the area surveys. No significant reading greater than ambient background radiation levels were noted. The meter background readings were 40-50 counts per minute (cpm).

6. Exit Meeting

At the conclusion of the onsite inspection on September 19, 1995, an exit meeting was conducted with Mr. Jury to discuss the preliminary findings. Mr. Jury did not identify any information that was provided during the inspection as proprietary.