



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

July 7, 1997

K. L. Cool, Director
Michigan Department of Natural Resources
P.O. Box 30028
Lansing, Michigan 48909-7528

Dear Mr. Cool:

The U.S. Nuclear Regulatory Commission has completed its review of your amended license application, submitted by letters dated February 25, 1997, and March 21, 1997, for the Michigan Department of Natural Resources (MDNR) owned portion of the Hartley and Hartley Landfill. Before issuing a license, the NRC has a number of comments and questions (enclosed) on your application that need to be addressed. Please respond to this request within 60 days of this letter with a revised application that addresses these comments and questions, and includes the administrative details addressed in the letter dated March 21, 1997 from Denise Gruben, MDNR, to John Hickey, NRC. If you are not able to meet this schedule, please advise us promptly and prepare an alternative schedule.

If you have any questions, please contact Jack Parrott of my staff at 301-415-6700. Any correspondence regarding this application should reference the docket number specified below.

Sincerely,

A handwritten signature in cursive script, appearing to read "John W. N. Hickey".

John W. N. Hickey, Chief
Low-Level Waste and Decommissioning
Projects Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

Docket No. 40-9015

Enclosure: As stated

cc: D. Gruben, MDNR
M. Hartman, MDEQ
D. Minnaar, MDEQ
J. Dehmel, SC&A
J. Basta, Dykema Gossett

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U.S. NRC Comments on the Amended License Application and
Revised Decommissioning Funding Plan from the
State of Michigan Department of Natural Resources (MDNR) on the
MDNR Owned Portion of the Hartley & Hartley Landfill

General Comment

- 1) The application should clearly state that Part I of the application contains the proposed license requirements (inspectable and verifiable), and that Part II of the application contains the descriptive information on how the applicant will demonstrate adherence to the requirements.

Specific Comments

Detailed Response to NRC Comments

- 2) Table 1 Summary of Commitments - This table should be included in Part I of the application.

License Application - Part I, License Conditions

- 3) Section 7.3.1 Radiation Safety Officer - The qualifications described for this position do not meet the minimum qualifications for a Radiation Safety Officer found in NRC Regulatory Guide 10.4. For example, there is no requirement for on-the-job-training in radiation protection. Since the purpose for which the licensed material will be used includes possible intrusion into the waste for characterization, there should be a requirement for radiation protection experience.
- 4) Section 10.0 RADIATION SAFETY PROGRAM - Many of the NRC questions about Section 10.0 have to do with the specifics of the Radiation Safety Program (RSP). The RSP should be provided with the license application with references to specific parts of it in Section 10.0, where appropriate.
- 5) Section 10.1 ALARA Commitment - What are the ALARA targets?
- 6) Section 10.4 Audits and Inspections - Items found during the audits and inspections, and the follow-up on these items, should be distributed to all members of the Radiation Committee and covered during the next Radiation Committee meeting.
- 7) Section 10.6 Records - Records of the Safety Committee meetings should mentioned here.
- 8) Section 10.8 Control of Licensed Material - There should be a sign in procedure for those entering the site.
- 9) Section 10.10 Instrumentation - What equipment will be used? Please list.

- 10) Section 10.13 Total Effective Dose Equivalent - What company will be doing the lapel monitoring?
- 11) Section 10.14 Bioassay Program - A commitment should be made to follow Information Notice 96-18 if a bioassay is implemented.
- 12) Section 10.17 Respiratory Protection - There should be a respiratory protection action level below the Part 20 limit that triggers the use of respiratory protection.
- 13) Section 10.18 Materials and Equipment Released for Unrestricted Use - Documentation should be recorded and maintained of what equipment and/or materials were released, from where, when, and the survey records that were made.

License Application - Part I, Section 12.0 DECOMMISSIONING FUNDING PLAN

- 14) Section 3.0 DECOMMISSIONING CRITERIA - This section should also list the NRC BTP entitled "Disposal or On-site Storage of Residual Thorium or Uranium" as decommissioning criteria (see section 3.3, number 6.)
- 15) Table 7.7 Packaging, Shipping and Disposal of Radioactive Waste - Describe in more detail how the cost of \$125/ft³ for radioactive waste disposal was derived. It does not seem to agree with current disposal costs at available facilities.
- 16) Table 7.9 Final Radiation Survey - What is the basis for the total labor and management hours estimated for this activity? The total hours in Table 7.9 could not be derived from the hours listed in Tables 7.4 and 7.5.

License Application - Part II, Safety Demonstration

- 17) Section 16.2 RESUME OF KEY PERSONNEL IMPORTANT TO SAFETY - There is only one resume attached. The names and qualifications of any individuals who will supervise the use of radioactive material and individuals who will work with radioactive materials without supervision should also be provided.
- 18) Section 17.5 Radiation Instrumentation - What source will be used to conduct the daily verification response checks and under what conditions will instruments be taken out of service.
- 19) Figure II-3 Organization Tobico Marsh State Game Area Site - This figure should be revised removing the Nuclear Regulatory Commission from the top of the organization. This position should identify the person (by name and/or title) in the licensee's organization that is ultimately responsible for the site and the license.