



SECRETARY

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

June 13, 2001

COMMISSION VOTING RECORD

DECISION ITEM: SECY-01-0088

TITLE: DEFERRAL OF REGULATORY OVERSIGHT OF
AREA 10 (THE SANDPILE) OF THE LAKE CITY
ARMY AMMUNITION PLANT TO THE U.S. EPA, AND
REQUEST TO REMOVE SITE FROM SITE
DECOMMISSIONING MANAGEMENT PLAN LIST
WHEN REMAINING REMEDIATIONS UNDER NRC'S
OVERSIGHT ARE COMPLETED

The Commission (with all Commissioners agreeing) approved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of June 13, 2001.

This Record contains a summary of voting on this matter together with the individual vote sheets, views and comments of the Commission.

A handwritten signature in cursive script, reading "Annette Vietti-Cook".

Annette L. Vietti-Cook
Secretary of the Commission

Attachments:

1. Voting Summary
2. Commissioner Vote Sheets

cc: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
OGC
EDO
PDR

VOTING SUMMARY - SECY-01-0088

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
CHRM. MESERVE	X					6/6/01
COMR. DICUS	X				X	6/5/01
COMR. DIAZ	X					5/31/01
COMR. McGAFFIGAN	X					5/24/01
COMR. MERRIFIELD	X					5/31/01

COMMENT RESOLUTION

In their vote sheets, all Commissioners approved the staff's recommendation and some provided some additional comments. Subsequently, the comments of the Commission were incorporated into the guidance to staff as reflected in the SRM issued on June 13, 2001.

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook
Secretary of the Commission

FROM: CHAIRMAN MESERVE

SUBJECT: SECY-01-0088 - DEFERRAL OF REGULATORY OVERSIGHT
OF AREA 10 (THE SANDPILE) OF THE LAKE CITY ARMY
AMMUNITION PLANT TO THE U.S. ENVIRONMENTAL
PROTECTION AGENCY, AND REQUEST TO REMOVE SITE
FROM SITE DECOMMISSIONING MANAGEMENT PLAN
LIST WHEN REMAINING REMEDIATIONS UNDER NRC'S
OVERSIGHT ARE COMPLETE

Approved X Disapproved _____ Abstain _____

Not Participating _____ Request Discussion _____

COMMENTS:



SIGNATURE

June 6, 2001

DATE

Entered on "STARS" Yes X No _____

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: COMMISSIONER DICUS

SUBJECT: **SECY-01-0088 - DEFERRAL OF REGULATORY OVERSIGHT
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PROTECTION AGENCY, AND REQUEST TO REMOVE SITE
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OVERSIGHT ARE COMPLETED**

3 MAY 01 3:21

Approved x ^{w/comments} Disapproved Abstain

Not Participating

COMMENTS:

See attached comments.

Pheta Jay Dicus
SIGNATURE

June 5, 2001
DATE

Entered on "STARS" Yes x No

Commissioner Dicus's Comments Regarding SECY 01-0088

I want to commend staff for their efforts in putting together what was obviously a very complex and challenging paper. Based on the Lake City Army Ammunition Plant (LCAAP) being a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) listed Superfund site, and based on the Resource Conservation and Recovery Act mixed-waste determination of Area 10 due to elevated levels of lead, I approve staff's recommendation to defer remediation oversight responsibility of Area 10 to the EPA. Since the LCAAP is a listed Superfund site, the final CERCLA release determination would ultimately rest with the EPA. Upon final coordination with the parties involved regarding such deferral, I recommend that staff provide written notification to each party documenting the agreed upon terms and conditions. Essential to this notification, is NRC's responsibility to review the EPA's basis of determination concluding that Area 10 remediation has been completed and conducting final confirmatory measurements to verify that residual contamination levels are in compliance with the Site Decommissioning Management Plan (SDMP) cleanup limits.

I also approve staff's recommendation to remove the LCAAP from the SDMP once remediation efforts have been completed for Building 3A and the 600-yard Bullet Catcher, with the understanding that the LCAAP license will not be considered for termination until Area 10 remediation has also been completed, which may not take place until 2008.

gjd
6-5-01

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: COMMISSIONER DIAZ

SUBJECT: **SECY-01-0088 - DEFERRAL OF REGULATORY OVERSIGHT OF AREA 10 (THE SANDPILE) OF THE LAKE CITY ARMY AMMUNITION PLANT TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY, AND REQUEST TO REMOVE SITE FROM SITE DECOMMISSIONING MANAGEMENT PLAN LIST WHEN REMAINING REMEDIATIONS UNDER NRC'S OVERSIGHT ARE COMPLETED**

Approved ☒  Disapproved _____ Abstain _____

Not Participating _____

COMMENTS:

-- REC'D BY NJD --

10 MAY 01 2:42


SIGNATURE

5.31.01
DATE

Entered on "STARS" Yes ☒ No _____

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

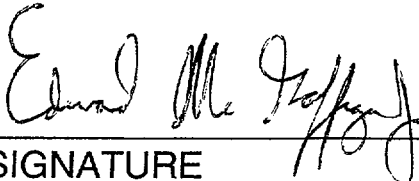
FROM: COMMISSIONER MCGAFFIGAN

SUBJECT: **SECY-01-0088 - DEFERRAL OF REGULATORY OVERSIGHT
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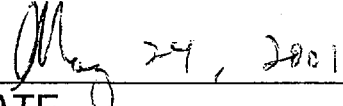
Approved ☒ Disapproved Abstain

Not Participating

COMMENTS:



SIGNATURE



DATE

Entered on "STARS" Yes ☒ No

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: COMMISSIONER MERRIFIELD

SUBJECT: **SECY-01-0088 - DEFERRAL OF REGULATORY OVERSIGHT
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Approved ☒ Disapproved ☐ Abstain ☐

Not Participating ☐

COMMENTS:

No additional comments.


SIGNATURE

5/31/01
DATE

Entered on "STARS" Yes ☒ No ☐