

July 27, 2001

MEMORANDUM TO: Those on the Attached List

FROM: Donald A. Cool, Director
Division of Industrial and /RA/ SMF for
Medical Nuclear Safety, NMSS

SUBJECT: UPDATE OF THE AUGUST 7, 2000 MEMO FROM WILLIAM
KANE, NMSS AND SAMUEL COLLINS, NRR - CASE-SPECIFIC
LICENSING DECISIONS ON RELEASE OF SOILS FROM
LICENSED FACILITIES

On August 7, 2000, William Kane, Director, NMSS, and Samuel Collins, Director, NRR, sent a joint memorandum (Attachment 1) to Regional Administrators and to headquarters licensing divisions to inform staff of the approach that should be used at this time for making decisions on specific licensing actions, as well as any generic requests, concerning release of solid materials. The memorandum noted that, based on a prior staff recommendation, a decision on possible rulemaking on the control of solid materials had been deferred pending the outcome of a National Academies study on alternatives and that, in the interim, NRC staff should continue to evaluate licensee requests for release of solid materials on a case-by-case basis using existing guidance.

Since the issuance of the August 7, 2000, memorandum, NMSS and NRR staff have been involved in case-specific reviews regarding implementation of the guidance contained in that memorandum. Two recent cases involved staff review of soil disposition at two facilities licensed by NMSS that are currently undergoing decommissioning. Based on its review, the staff has determined that the following approaches are consistent with the August 7, 2000, memorandum and should be used in review of retrospective and prospective cases involving soil disposition:

- 1) For retrospective cases - if offsite soil releases have been identified, reviewed, and accepted in an approved decommissioning plan based on Site Decommissioning Management Plan (SDMP) Action Plan criteria, a 20.2002 disposal, a license termination plan, or other specific license condition,
 - previously approved offsite soils releases should be considered as final, but further examination is recommended if offsite soil releases could produce a dose of more than 100 mrem/yr to a member of the public under realistic conditions. The examination should be based on a case-specific dose assessment rather than a conservative screening assessment.

CONTACT: Frank Cardile, NMSS/IMNS
(301) 415-6185

- 2) For prospective cases or cases that are not grand-fathered - where proposed offsite soils releases are not covered under an existing decommissioning plan, 20.2002 disposal, license termination plan, or other specific license condition,
- there may be approval under a criterion of a "few mrem" (pursuant to a 20.2002 procedure, decommissioning plan, license termination plan, or other specific license amendment) rather than use of license termination criteria either in Subpart E of 10 CFR Part 20 or in the SDMP Action Plan. Requests for such approvals should be coordinated with the staff contacts provided in Attachment 2 on a case-by-case basis.

As a separate matter, the Commission has chosen to address transfer of unimportant quantities of source material from facilities under 10 CFR 40.13(a) in an independent Commission-directed initiative on Part 40. The Commission provided direction to the staff on such transfers in Staff Requirements Memoranda dated March 9, 2000 and December 17, 1998. This direction remains in effect pending Commission decision on rulemaking on Part 40.

Attachments:

1. August 7, 2000, memorandum from William Kane, NMSS, and Samuel Collins, NRR
2. List of NRC staff contacts

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- August 7, 2000, memorandum from William Kane, NMSS, and Samuel Collins, NRR
- List of NRC staff contacts

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OFFICE:	IMNS/NMSS		OSTP		DWM/NMSS		FCSS/NMSS	
NAME:	PHolahan*		PLohaus*		JGreeves*		MWeber*	
DATE:	05/31/2001		07/18 /2001		07/11/2001		07/06/2001	
OFFICE:	NRR		DRA/RES		OGC		D/IMNS/NMSS	
NAME:	Gtracy*		CTrottier*		STreby		DCool SMF for	
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Addressees - Memorandum Dated July 27, 2001

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John W. Craig
Assistant for Operations

Joseph R. Gray, Associate General Counsel
for Licensing and Regulation
Office of the General Counsel

Ashok Thadani, Director
Office of Nuclear Regulatory Research'

Paul Lohaus, Director
Office of State Programs

George Pangburn, Director
Division of Nuclear Materials Safety, Region I

Douglas Collins, Director
Division of Nuclear Materials Safety, Region II

Cynthia Pederson, Director
Division of Nuclear Materials Safety, Region III

Dwight Chamberlain, Director
Division of Nuclear Materials Safety, Region IV

John Greeves, Director
Division of Waste Management, NMSS

William Brach, Director
Spent Fuel Project Office, NMSS

Michael Weber, Director
Division of Fuel Cycle Safety and Safeguards, NMSS

Stuart Treby, Assistant General Counsel
for Rulemaking and Fuel Cycle
Office of the General Counsel

Brian Sheron, Associate Director
Project Licensing and Technical Analysis, NRR

Jon Johnson, Associate Director
Inspection and Programs, NRR

John Zwolinski, Director
Licensing and Project Management, NRR

Christopher Grimes, Chief
License Renewal and Standardization Branch, NRR

Ledyard Marsh, Chief
Events Assessment, Generic Communications,
and Non-Power Reactors Branch, NRR

Cynthia Carpenter, Chief
Generic Issues, Environmental, Financial,
and Rulemaking Branch, NRR

Bruce Boger, Director
Inspection Program Branch, NRR

Glenn Tracy, Chief
Operator Licensing, Human Performance,
and Plant Support, NRR

Kathy Halvey Gibson, Chief
Emergency Preparedness
and Health Physics Section, NRR