

September 13, 2001

Mr. George Dawes, Project Manager
Molycorp, Inc.
300 Caldwell Avenue
Washington, PA 15301

SUBJECT: ACKNOWLEDGMENT OF REQUEST FOR A LICENSE AMENDMENT TO
APPLY VOLUMETRIC UNRESTRICTED USE CRITERIA FOR CONCRETE
DEBRIS (TAC #L52060)

Dear Mr. Dawes:

I am responding to your letter dated September 5, 2001, which forwarded a request to amend the Molycorp, York, PA, license to apply volumetric unrestricted use criteria to concrete debris. We have completed the initial processing of your request, which is an administrative review.

During our initial processing, several deficiencies were noted that must be corrected before we can initiate a technical review. These deficiencies are discussed below.

Case 1 Concentration of Source Material Contamination is < 0.05 Weight Percent

- Your letter states that the concentration of source material in the concrete debris is well below 0.05 weight percent (the unimportant quantity limit for source material as specified in 10 CFR 40.13(a)). However, no data was supplied to support this conclusion. Consistent with the Commission's policy concerning transfers of unimportant quantities of source material, if the source material contamination in the concrete debris is demonstrated to be below 0.05 weight percent, a dose assessment should be performed to calculate the dose that could result from the transfer and disposal of this material. The staff would approve such a transfer if the dose is demonstrated to be less than 100 mrem/year. In this case, a license amendment would not be required because such transfers are authorized by the regulations.

Case 2 Concentration of Source Material Contamination is \geq 0.05 Weight Percent

- The unrestricted release criteria for soil in Site Decommissioning Management Plan (SDMP) Action Plan were specifically developed for soil and not other types of material. The license amendment request does not include any justification to support the contention that the concrete debris is soil-like.
- The letter compares this request to a case involving the Cimarron Corporation as documented in an environmental assessment issued by the U.S. Nuclear Regulatory Commission staff on July 29, 1999. The request states that the inhalation dose from concrete resuspension will be calculated using the same methods and assumptions approved for the Cimarron site, modified as necessary for site-specific conditions. However, the calculations were not included in the request. If the staff agrees that the

approach used for the Cimarron site can be used at Molycorp, York, the calculations must be provided for review.

- The ALARA demonstration does not substantiate any of the data used for the calculation of cost per person-rem.

In conclusion, the request is incomplete. It lacks the data needed to justify your conclusions and the supporting calculations.

Please note that the technical review may identify omissions in the submitted information or technical issues not identified during the administrative review that require additional information.

Please contact me at (301) 415-5869 if you have any questions concerning this response.

Sincerely,

/RA/ R Nelson for

Tom McLaughlin, Project Manager
Facilities Decommissioning Section
Decommissioning Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

Docket No.: 040-08794

License No.: SMB-1408

cc: Molycorp, York Dist. List

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/RA/
 Tom McLaughlin, Project Manager
 Facilities Decommissioning Section
 Decommissioning Branch
 Division of Waste Management
 Office of Nuclear Material Safety
 and Safeguards

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