

Mr. James C. Forney  
Director - Closed Sites  
Waste Management, Inc.  
3970 Heritage Ave, Suite A  
Okemos, MI 48864

SUBJECT: REQUEST TO EXTEND DECOMMISSIONING PLAN SUBMISSION DATE TO  
SEPTEMBER 30, 2003 (TAC# 60510)

Dear Mr. Forney:

The U.S. Nuclear Regulatory Commission (NRC) staff reviewed your letter dated September 5, 2001, requesting an extension to submit the decommissioning plan (DP) by September 30, 2003, for the SCA Services (Hartley & Hartley Landfill) Site Decommissioning Management Program (SDMP) site. The September 5, 2001, letter replaced your July 18, 2001, letter which requested a due date of December 31, 2003, for the DP. Your July 18, 2001, letter was acknowledged by an NRC letter dated August 24, 2001. In accordance with Condition 11A of your NRC License No. SUC-1565, the DP was due to be submitted to the NRC no later than October 1, 2000.

The approval of the time extension to submit the DP would require an amendment to your license. Therefore, although an amendment was not specifically requested, we are treating your September 5, 2001, submittal as a license amendment request.

Your September 5, 2001, letter provided detailed tasks and a time schedule for the remedial action plan (RAP) response activities pertaining to the Michigan Department of Environmental Quality (MDEQ) and some related NRC activities. In a letter dated September 13, 2001, the Environmental Response Division (ERD) of the MDEQ stated that your schedule adequately addressed its concerns and approved your schedule with some comments. Many of the activities associated with developing the RAP are also required for the development of the DP. Consistent with your schedule for the RAP, your schedule indicated that a DP will be submitted to the NRC on September 30, 2003.

Based on the information in your September 5, 2001 letter, and pursuant to 10 CFR Part 40.42(g)(2), NRC approves extending the due date of the DP to September 30, 2003. This date is an unconditional fixed date. We have determined that the revised schedule is necessary to the effective conduct of decommissioning operations because tasks required for both the RAP and DP are accomplished concurrently. Furthermore, the extension presents no undue risk from radiation to the public health and safety and is otherwise in the public interest. If you anticipate further delay in submitting the DP, you must provide proper justification and again request extension of time to submit the DP prior to September 30, 2003, to avoid violation of the NRC's regulations.

The NRC staff has concluded that this license amendment concerns administrative changes and meets the requirements, for a categorical exclusion in accordance with 10 CFR 51.22(c)(11), because: (i) there is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite; (ii) there is no significant increase in individual or cumulative occupational radiation exposure; (iii) there is no significant construction impact; and (iv) there is no significant increase in the potential for, or consequences from radiological accidents. Therefore, neither an environmental assessment nor an environmental impact statement is required.

License Condition 11.A. dated September 7, 1999, is revised as follows:

11. Conditions:

- A. SCA, Inc. shall submit, by license amendment request, no later than September 30, 2003, a Decommissioning Plan for the SCA site, meeting the requirements of 10 CFR 40.42(g)(4). The Decommissioning Plan will include site characterization information necessary to support the Decommissioning Plan and a revised decommissioning funding plan, that includes a revised cost estimate and financial assurance mechanism in accordance with 10 CFR 40.36, for the preferred decommissioning approach.

All other conditions of this license will remain the same.

If you have any questions, please do not hesitate to contact Sam Nalluswami at 301-415-6694.

Sincerely,

Larry W. Camper, Chief  
Decommissioning Branch  
Division of Waste Management  
Office of Nuclear Material Safety  
and Safeguards

Enclosure: Materials License SUC-1565

cc: T. Bertram, MDEQ  
A. Brouillet, MDEQ  
D. Minnar, MDEQ  
D. Gruben, MDNR

Docket No.: 40-9022  
License No.: SUC-1565



SCA Services

SUC-1565

700 56<sup>th</sup> Avenue  
Zeeland, MI 49464

May 31, 2000

040-09022

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|------------|--|-------------------|
| A. Thorium | A. Contaminated soil, sludge, sediment, trash, building rubble, structures, and any other material contaminated in excess of background levels | A. 40 metric tons |
| B. Uranium | B. Contaminated soil, sludge, sediment, trash, building rubble, structures, and any other material contaminated in excess of background levels | B. 5 metric tons  |

9. Authorized place of use: Licensed material shall be possessed during site activities leading to the decommissioning of the SCA site.

10. Authorized use: The existing SCA site, 2370 Two Mile Road, Bay County, MI 48706.

SUC-1565

040-09022

AMENDMENT NO. 2

## 11. Conditions:

- A. SCA, Inc. shall submit, by license amendment request, no later than September 30, 2003, a Decommissioning Plan for the SCA site, meeting the requirements of 10 CFR 40.42(g)(4). The Decommissioning Plan will include site characterization information necessary to support the Decommissioning Plan and a revised decommissioning funding plan, that includes a revised cost estimate and financial assurance mechanism in accordance with 10 CFR 40.36, for the preferred decommissioning approach.
- B. The Radiation Safety Officer for this license is Philip Mazor.
- C. The licensee shall implement an as low as is reasonably achievable (ALARA) program for effluent control in accordance with the program elements described in NRC Regulatory Guide 8.37.
- D. Except as specifically provided otherwise in this license, SCA, Inc. shall conduct its program in accordance with the statements, representations, and procedures contained in the application dated July 7, 1993, and the Radiation Safety Program contained in the application dated July 7, 1993, and the Radiation Safety Program contained in the Final Health and Safety Plan submitted by letter dated September 28, 1994. The Nuclear Regulatory Commission's regulations shall govern unless the statements, representations and procedures in the licensee's application and Radiation Safety Program are more restrictive than the regulations.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date: \_\_\_\_\_ By: \_\_\_\_\_

Claudia M. Craig, Acting Chief  
Decommissioning Branch  
Division of Waste Management  
Office of Nuclear Material Safety  
and Safeguards