

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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ATOMIC SAFETY AND LICENSING BOARD PANEL

OFFICE OF THE SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Before Administrative Judges:

Alan S. Rosenthal, Presiding Officer
Thomas D. Murphy, Special Assistant

In the Matter of)	Docket No. 40-8838-MLA
)	
U.S. ARMY)	ASLBP No. 00-776-04-MLA
)	
(Jefferson Proving Ground Site))	January 7, 2002
)	

Quarterly Status Report

The following activities were conducted during the period of 1 October 2001 and 31 December 2001 in connection with the proposed amendment to the materials license held by the U.S. Army (Licensee) at Jefferson Proving Ground Site (JPG). The proposed amendment would permit, in accordance with 10 Code of Federal Regulations (CFR) §20.1403, the restricted release of the site on which there is currently an accumulation of depleted uranium (DU) munitions.

1. By letter dated September 27, 2001, NRC Staff pursuant to an acceptance review identifies deficiencies to JPG Decommissioning Plan (DP) submitted by letter dated 27 June 2001. On October 1, 2001, Counsel for NRC Staff provides response to September 17, 2001, Memorandum and Order addressing jurisdictional impediments to keeping hearing open. On October 10, 2001, Presiding Officer issues Memorandum for teleconference to discuss jurisdictional issue. By letter dated October 17, 2001, NRC Staff sends letter informing Army that previous versions of JPG DP are considered superseded by June 27, 2001 JPG DP. By letter dated October 29, 2001 Counsel for NRC Staff pursuant to request during teleconference on October 18, 2001, submits opinion that license amendment not pending in lieu of original DP being superseded and deficiencies identified to 27 June 2001, JPG DP. On November 7, 2001, Presiding Officer issues Memorandum and Order Granting STV Request to Hold Proceeding in Abeyance.

2. The revised Jefferson Proving Ground (JPG) Internet web site (address: <http://jpg.sbcom.army.mil>) was posted and made available to the public in November 2001. The revised JPG web site has an expanded depleted uranium (DU) and unexploded ordnance (UXO) sections that will be utilized as a mechanism to provide information to the public regarding the issues of DU and UXO at JPG.

3. A Restoration Advisory Board (RAB) meeting for JPG was held on November 14, 2001 in North Vernon, Indiana. The RAB serves as a site-specific advisory board for JPG and meets periodically in the local area. The goal of the RAB is to ensure the concerns of the community are identified and addressed to the extent possible through public participation. JPG/SBCCOM is using the RAB as one means to provide for community participation and input on JPG license termination activities. Unexploded ordnance clearance, environmental suitability of property for transfer, and the status and point of contact for the depleted uranium license termination were discussed at this RAB meeting. Questions or comments on the depleted uranium license termination efforts are being accepted through a variety of ways, to include in writing to the JPG Site Manager or the SBCCOM Radiation Safety Officer or through electronic email to the SBCCOM Radiation Safety Officer.

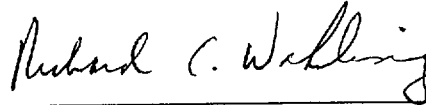
4. Teleconferences were held with the Nuclear Regulatory Commission (NRC) staff during the months of October, November and December, 2001 to discuss responses to the NRC comments to the DP submitted on June 27, 2001 and to discuss the contents of an environmental report (ER) requested by NRC in accordance with 10 CFR Part 51. The overall function of the ER is to update and complete information to the NRC so the NRC can prepare an Environmental Impact Statement (EIS) for the JPG decommissioning action. The ER will be a publicly available document that should help both the public and NRC reviewers relative to the JPG license termination effort. Receipt of a draft ER to JPG/SBCCOM was 4 September 2001. Estimated time frame for submission of ER to NRC is approximately 31 March 2002. Estimated time frame for submission of response to NRC comments to 27 June 2001, DP is approximately 31 March 2002.

Current Schedule (January 2002) Note LTP FR Notice & ER Review Dates Are Based On NRC Staff Previously Identified Review Times.

Submitted LTP to NRC			July 2001
Submit ER to NRC	90 days	1 January 2002	31 March 2002
Submit Response to Comments (DP)	90 days	1 January 2002	31 March 2002
NRC LTP FR Notice	180 days	July 2001	January 2002
NRC ER Review	180 days	March 2002	September 2002

The next quarterly written status report is due to the Board and the Petitioner on or before April 1, 2002.

Dated this Monday, January 7, 2002

A handwritten signature in cursive script, reading "Richard C. Wakeling". The signature is written in dark ink and is positioned above a horizontal line.

Richard C. Wakeling

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Page 4 of 4