

April 24, 2003

MEMORANDUM TO: Susan M. Frant, Chief
Fuel Cycle Facilities Branch
Division of Fuel Cycle Safety and Safeguards
Office of Nuclear Material Safety
and Safeguards

FROM: Daniel M. Gillen, Chief **/RA/**
Decommissioning Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

SUBJECT: IMPLEMENTATION OF THE NMSS DECOMMISSIONING PROGRAM -
FCSS AND DWM COORDINATION AND RULE IMPLEMENTATION ON
FUEL CYCLE FACILITIES DECOMMISSIONING AND TURNOVER
PROCESS

1. Overview

Staff from Division of Waste Management (DWM) and the Division of Fuel Cycle Safety and Safeguards (FCSS) met last Fall to devise a turnover process for when a licensed complex material site transitions from operations to decommissioning. This memorandum describes the turnover implementation process. As staff began developing a site turnover implementation process, a set of four (4) fuel-cycle sites (ABB-Windsor, CE-Hematite, Shieldalloy, and Fansteel), in transition from operations to decommissioning, were transferred from FCSS' to DWM's programmatic oversight. The sites' transfer proved helpful in developing the current turnover implementation process that follows. We believe the turnover process has generally worked well, and we plan to use the following process as future sites are transferred from FCSS to DWM. In addition, we plan in the near future to assess the need for revising Nuclear Material Safety and Safeguards (NMSS) Policy and Procedure Letter 1-41(P&PL 1-41). NMSS P&PL 1-41 was issued in 1990 to define roles and responsibilities within the office for implementing the 1988 decommissioning rules for non-reactor licensees. Given the significant organizational changes that have occurred in NMSS since that time, there is a need to reassess the roles and responsibilities delineated in NMSS P&PL 1-41.

2. Objective

In general, overall responsibility for the decommissioning program that the U.S. Nuclear Regulatory Commission (NRC) conducts for NMSS licensed facilities rests with DWM. The overall objective of the NMSS decommissioning program is to ensure those decommissioning activities adequately protect the health and safety of workers and the public, protect the environment, and are conducted in a timely and effective manner, consistent with all pertinent regulatory requirements.

CONTACT: Amir Kouhestani, DWM/NMSS
(301) 415-0023

Fuel Cycle Facilities Turnover Process to DWM**A. Periodic Meetings and Interfaces**

To facilitate the smooth transition of sites from FCSS to DWM, the management of FCSS and DWM agree to periodically meet (initially on a quarterly basis at the Branch Chief level) to discuss the status of FCSS sites. Some of the issues that may be addressed during the transition meetings include decommissioning timeliness issues, alternative decommissioning schedules, decommissioning financial assurance, partial site decommissioning, decommissioning plan submittal (site-wide and partial site), license terminations, and decommissioning related inspections and enforcement actions. FCSS and DWM will develop a comprehensive site status list for all fuel cycle facilities either in partial or full decommissioning and sites that plan to initiate decommissioning. A tentative fuel cycle facilities list and decommissioning status format is attached.

B. FCSS Letters of Notification to DWM

FCSS will notify DWM (via e-mail or memorandum) as soon as a licensee begins planning to decommission, which could be up to two years in advance. This initial notification is needed so that DWM may appropriately plan and budget to receive the fuel cycle site. In addition, FCSS will notify DWM, in writing, within two weeks of receiving formal written notification from the licensee that it has ceased all operational activities and plans to decommission. The notification memorandum from FCSS to DWM will identify the FCSS project manager, who will serve as FCSS' point-of-contact for the transfer. FCSS will continue to be responsible for uranium and thorium mills and mill tailings site throughout their decommissioning.

C. DWM Acceptance of Project Management Responsibilities and Matrix of Authority

Upon agreement that a site has entered decommissioning, DWM will formally assume project management and licensing responsibility for the site by memorandum from the Chief of the Decommissioning Branch to the Chief of the Fuel Cycle Licensing Branch, accepting the site and designating a DWM project manager. FCSS and DWM will meet to establish a transition plan for the site.

Upon DWM's formal acceptance of a fuel cycle site, interfaces with licensee and applicant shall be the DWM's responsibility. FCSS will transfer all license docket paperwork and files to DWM shortly after DWM takes responsibility for the site. Upon site transfer, it will be the DWM's responsibility to ensure coordination is taking place among all external and internal NRC stakeholders.

Attachment:
FCSS Fuel Cycle Facilities List and Decommissioning Status

FCSS Fuel Cycle Facilities List and Decommissioning Status

Site Name	Partial Decomm	Full Decomm
1. BWX Technologies, Inc. (BWXT)	X	
<u>Site Status and Issues:</u> Briefly discuss open issues, any concern about past site characterization, details of existing site health and safety plan, license conditions and flexibilities, potential site contaminants, groundwater, criticality, responsibilities, etc.		
Site Name	Partial Decomm	Full Decomm
2. Dept of Commerce	?	
<u>Site Status and Issues:</u>		
Site Name	Partial Decomm	Full Decomm
3. Eastman Kodak	?	
<u>Site Status and Issues:</u>		
Site Name	Partial Decomm	Full Decomm
4. Framatome Adv Nuc Power, Inc., Lynchberg	X	
<u>Site Status and Issues:</u>		
Site Name	Partial Decomm	Full Decomm
5. Framatome ANP, Inc., Richland (Siemens)	?	
<u>Site Status and Issues:</u>		
Site Name	Partial Decomm	Full Decomm
6. General Atomics		X
<u>Site Status and Issues:</u>		
Site Name	Partial Decomm	Full Decomm
7. General Electric (Vallecitos)	?	
<u>Site Status and Issues:</u>		

Site Name	Partial Decomm	Full Decomm
8. Global Nuclear Fuel Americas (Wilmington)	?	
<u>Site Status and Issues:</u>		
Site Name	Partial Decomm	Full Decomm
9. Idaho University	?	
<u>Site Status and Issues:</u>		
Site Name	Partial Decomm	Full Decomm
10. Massachusetts Inst. Of Tech.	?	
<u>Site Status and Issues:</u>		
Site Name	Partial Decomm	Full Decomm
11. Nuclear Fuel Services, Inc. (NFS), Erwin, TN	X	
<u>Site Status and Issues:</u>		
Site Name	Partial Decomm	Full Decomm
12. Pennsylvania State University	?	
<u>Site Status and Issues:</u>		
Site Name	Partial Decomm	Full Decomm
13. Purdue University	?	
<u>Site Status and Issues:</u>		
Site Name	Partial Decomm	Full Decomm
14. Seattle University	?	
<u>Site Status and Issues:</u>		
Site Name	Partial Decomm	Full Decomm
15. Shieldalloy Metallurgical Corp. (NJ)		X
<u>Site Status and Issues:</u>		

Site Name	Partial Decomm	Full Decomm
16. University of Florida	?	
<u>Site Status and Issues:</u>		
Site Name	Partial Decomm	Full Decomm
17. Texas University	?	
<u>Site Status and Issues:</u>		
Site Name	Partial Decomm	Full Decomm
18. Westinghouse Elec. Co. LLC (Columbia, SC)	?	
<u>Site Status and Issues:</u>		

Fuel Cycle Facilities Turnover Process to DWM

A. To facilitate the smooth transition of sites from FCSS to DWM, the management of FCSS and DWM agree to periodically meet (initially on a quarterly basis at the Branch Chief level) to discuss the status of FCSS sites. Some of the issues that may be addressed during the transition meetings include decommissioning timeliness issues, alternative decommissioning schedules, decommissioning financial assurance, partial site decommissioning, decommissioning plan submittal (site-wide and partial site), license terminations, and decommissioning related inspections and enforcement actions. FCSS and DWM will develop a comprehensive site status list for all fuel cycle facilities either in partial or full decommissioning and sites that plan to initiate decommissioning. A tentative fuel cycle facilities list and decommissioning status format is attached.

B. FCSS Letters of Notification to DWM

FCSS will notify DWM (via e-mail or memorandum) as soon as a licensee begins planning to decommission, which could be up to two years in advance. This initial notification is needed so that DWM may appropriately plan and budget to receive the fuel cycle site. In addition, FCSS will notify DWM, in writing, within two weeks of receiving formal written notification from the licensee that it has ceased all operational activities and plans to decommission. The notification memorandum from FCSS to DWM will identify the FCSS project manager, who will serve as FCSS' point-of-contact for the transfer. FCSS will continue to be responsible for uranium and thorium mills and mill tailings site throughout their decommissioning.

C. DWM Acceptance of Project Management Responsibilities and Matrix of Authority

Upon agreement that a site has entered decommissioning, DWM will formally assume project management and licensing responsibility for the site by memorandum from the Chief of the Decommissioning Branch to the Chief of the Fuel Cycle Licensing Branch, accepting the site and designating a DWM project manager. FCSS and DWM will meet to establish a transition plan for the site.

Upon DWM's formal acceptance of a fuel cycle site, interfaces with licensee and applicant shall be the DWM's responsibility. FCSS will transfer all license docket paperwork and files to DWM shortly after DWM takes responsibility for the site. Upon site transfer, it will be the DWM's responsibility to ensure coordination is taking place among all external and internal NRC stakeholders

Attachment: FCSS Fuel Cycle Facilities List and Decommissioning Status

ACNW: YES NO X

TICKET: DCB-350

DISTRIBUTION:

File Center DCB r/f NMSS/DWM r/f E. Flack M.Lamastra J.Olivier
L.Roche D.Orlando C.Craig M. Adams

C:\MYFILES\Copies\Greeves-Pierson - ltr -101002-r032003.wpd

* see previous concurrence

OFC	DCB	DCB	DCB
NAME	AKouhestani:MJK	MThaggard	DGillen
DATE	10/1/02	3/ 8 /03	4/24/03