

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

ATOMIC SAFETY AND LICENSING BOARD PANEL

April 2, 2003 (11:20AM)

Before Administrative Judges:

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

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

In the Matter of)
)
U.S. ARMY)
)
(Jefferson Proving Ground Site))
)

Docket No. 40-8838-MLA
ASLBP No. 00-776-04-MLA
March 27, 2003

Quarterly Status Report

The following activities were conducted during the period of 20 December 2002 and March 27, 2003 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. On November 7, 2001, Presiding Officer issued Memorandum and Order Granting STV Request to Hold Proceeding in Abeyance and directing the Army to continue to furnish quarterly status reports.
2. A Restoration Advisory Board (RAB) meeting for JPG was held in Indiana on February 4, 2003. 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 uses the RAB as one means to provide for community participation and input on JPG license termination activities. 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. Nuclear Regulatory Commission (NRC) toll free telephone number and e-mail address for public accessibility were also provided to the community at the February 2002 JPG RAB meeting. At the February 4, 2003 JPG RAB meeting, a copy of the February 4, 2003 letter from DA containing the Army contingent

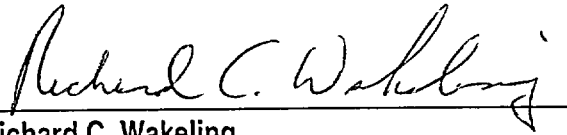
request for an alternative schedule for submittal of a Decommissioning Plan for the termination of JPG License SUB-1435 was provided to the RAB and attending public for information.

3. By Memorandum and Order, LBP-03-02, 57 NRC __ (February 6, 2003), proceedings were suspended pending completion of technical review by NRC Staff. On March 11, 2003, NRC Staff furnished a copy of February 4, 2003 letter from DA containing a contingent request for an alternative schedule for submittal of a Decommissioning Plan for the termination of JPG License SUB-1435. On March 19, 2003, Memorandum and Order was issued requesting the Army provide detailed information regarding the current status of negotiations assumed to have been initiated in response to DA's letter of February 4, 2003 and best estimate as to the likely date of completion of negotiations. DA was also requested to present its views respecting the impact that NRC Staff acceptance of the DA proposal would have on current proceedings.
4. In response to the information requested in the Memorandum and Order, March 19, 2003, DA provides the following information:
 - a. At this time, no negotiations have been initiated in response to the contingent request for an alternate schedule contained in DA's letter of February 4, 2003. DA has not received any written acknowledgement to its contingent request and has only been advised telephonically by NRC Staff that the contingent request is awaiting consideration by NRC Commissioners. No specific information has been provided to DA regarding the timing of consideration by NRC Commissioners.
 - b. DA submits that in the event, NRC Staff accepts its contingent request for an alternative schedule for submittal of a Decommissioning Plan and successfully completes the negotiation and issuance of a 5-year renewable possession only license that precipitates DA's withdrawal of its license amendment request to terminate License SUB-1435, revised Decommissioning Plan (June 2002) and Environmental Report (June 2002), further proceedings in this matter would be moot. DA's withdrawal of its license amendment request, Decommissioning Plan and Environmental Report which provided the basis for the grant of the hearing request would obviate the need for further proceedings in this matter to consider the adequacy of the withdrawn license amendment request, Decommissioning Plan and Environmental Report.

Current Schedule: Next Quarterly Report to be provided June 30, 2003.

The next quarterly written status report is due to the Board and the Petitioner on or before June 30, 2003.

Dated this Thursday, March 27, 2003



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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Quarterly Status Report has been served upon the following persons by U. S. mail:

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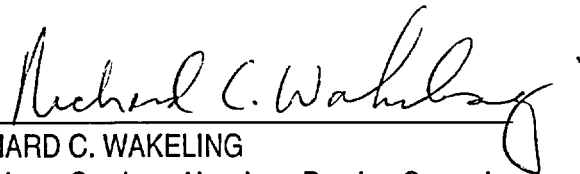
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DATE: 27 March 2003


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