UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

August 14, 2003

Docket No. 04008980 License No. SMB-1541

Gerald E. Williams, P.E.
Senior Project Manager
Enercon Services, Inc.
4115 William Penn Highway
One Franklin Centre
Murrysville, PA 15668

SUBJECT: EXEMPTION FROM SURFACE RELEASE GUIDELINES

Dear Mr. Williams:

This responds to your letter dated July 9, 2003, to Mr. Craig Gordon of my staff, requesting modification of the sampling and analysis procedure for measuring the radioactivity of certain rubber lined equipment at the Heritage Minerals, Inc. (HMI), Lakehurst, NJ site. You indicated that the rubber is adhered to the underlying steel and cannot be removed. Radiological contamination contained within the rubber has prevented the equipment from being released for unrestricted use.

In order that the material not be considered for disposal as contaminated waste, you proposed an alternate release method. Specifically, you requested the materials be released for unrestricted use if measured values are less than 5μR above general area values, and the average material radiological concentration is less than 10 pCi/g total uranium and total thorium.

To proceed with an NRC review, additional information is needed which describes the technical basis for the 5μR value, and whether the equipment in question will be considered volumetrically contaminated. The basis for application of the concentration limit to equipment release should also be explained since the proposed 10 pCi/g guideline value corresponds to the NRC criterion for release of contaminated soil.

No changes to the HMI decommissioning release criteria are permitted without NRC approval. You must maintain compliance with Condition 14 of HMI's License No. SMB-1541, which states that "fixed surface contamination on equipment does not exceed 3000 disintegrations per minute (dpm) when measured over an area of 100 cm^2, or 1000 dpm/100cm^2 averaged over an area not to exceed one square meter before release for unrestricted use."

If you would you like to discuss further details about this matter, please contact Mr. Gordon at (610) 337-5216.

Thank you for your cooperation.

Sincerely,

/RA/

Ronald R. Bellamy, Chief
Decommissioning and Laboratory Branch
Division of Nuclear Materials Safety

cc:
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