WM-11

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MAY 11 1979

MEMORANDUM FOR: John B. Martin, Director
Division of Waste Management

FROM: R. Dale Smith, Acting Chief
Low-Level Waste Licensing Branch

SUBJECT: TRIP REPORT

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Date: April 17, 1979

Place: Carey Salt Mine; Lyons, Kansas

Purpose: To see what was entailed in using the mine as a LLW retrievable storage or disposal facility.

Attendees: B. Mingst, R. D. Smith, J. Kendig(SP), Gerry Allen and Harry Borchart (Kansas SDHE), F. Beirele and J. Harvey (Southwest Nuclear).

Summary: It was apparent that Southwest Nuclear's plans have not yet gotten past the concept stage and that no engineering or operational planning has been done for the proposed facility.

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Date: April 18, 1979

Place: Kansas State Department Health and Environment; Topeka, Kansas

Purpose: To discuss the Southwest Nuclear Application to use the Carey Salt Mine at Lyons, Kansas as a retrievable storage or disposal facility.

Attendees: B. Mingst, R. D. Smith, J. Kendig, G. Allen, H. Borchart

Summary: The State has requested NRC technical assistance in support of their licensing action. It was apparent that a license for the site would have to include at least a permit from the Mine Safety and Health Administration

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making this a three-way licensing action. If the facility were to be used for retrievable storage, NRC would need to issue a license due to the large inventory of waste stored exceeding the SNM limits in Part 150. If the applicants continue the application for a retrievable storage facility, the State of Kansas will suspend work on the application until the applicant has also applied for a license from the NRC. This is to avoid duplication of effort since an NRC license will eventually be required by the facility.

The applicant has been referring to the proposed operations as "storage" rather than disposal, since disposal would require that the facility be owned by the State or the Federal government. The state of Kansas is prohibited by law from owning such land; however, the Kansas legislature has passed a bill allowing the State to take title to the land in order that a disposal facility could be legally accepted. If this bill is not vetoed, the applicant is expected to change the facility from retrievable storage to a disposal facility. In this case, the NRC would not have a licensing role unless Part 150 SNM limits were exceeded for material in possession. For a disposal licensing case, the NRC would merely assist Kansas in completing the licensing action. This assistance will include providing an Environmental Assessment of the project performing health and safety reviews, acting as a liaison to the Washington office of the MSHA. The NRC will obtain a contractor to do the technical support for the Assessment. The NRC must obtain from the applicant operational procedures in sufficient detail to begin work on the Assessment before going out for bids on the contract. The State may do a portion of the Assessment itself, but the Department of Health and Environment must check on the availability of resources to determine which portions the State can do. The Environmental Assessment preparation will likely include public meetings in Kansas. Preparation of the Assessment was estimated to take until the summer of 1980. The Assessment will include financial assurance questions and a feasibility study as a part of the Assessment. The State will also check on the financial status of the applicant if the State is to become landlord for the site.

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The State people indicated that they would not allow liquids or soluble wastes into the mine and indicated that the land ownership bill that was passed would mandate a 30¢/cu. ft. charge to a State trust fund for any waste placed in the mine.

The NRC committed to provide to the State of Kansas the following three items:

(1) A draft Memorandum of Understanding between the State and NRC outlining the roles that NRC, MSHA, and the State will play in this effort.

(2) A draft Statement of Work for the preparation of the Environmental Assessment, outlining which portions of the environmental review NRC will perform.

(3) An outline of what will be needed in the operational procedures before the Environmental Assessment could proceed.

/s/

R. Dale Smith, Acting Chief
Low-Level Waste Licensing Branch

cc: J. Kendig, SP
G. Allen, KSDHE

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