



STATE OF MICHIGAN

JENNIFER M. GRANHOLM
GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
LANSING

K. L. COOL
DIRECTOR

January 30, 2004

Mr. Daniel Gillen, Chief
Decommissioning Branch
Division of Waste Management
Office of Nuclear Materials Safety and Safeguards
United States Nuclear Regulatory Commission
Mail Stop T7 F27
Washington, DC 20555

SUBJECT: License Amendment for Tobico Marsh State Game Area Site and
Submission of a Revised Decommissioning Plan

Dear Mr. Gillen:

By copy of this letter, the Michigan Department of Natural Resources (MDNR) is applying for an amendment of the Tobico Marsh State Game Area (SGA) Site, License Number SUC-1581. Enclosed is our License Amendment Application, Form 313. The Tobico Marsh SGA Site is located at 2301 Two Mile Road, Bay County, Kawkawlin, Michigan.

The intent of this amendment is to revise the current license with the incorporation of the Tobico Marsh SGA Site Decommissioning Plan (enclosed). The proposed decommissioning alternative is essentially a "no action" alternative in that it does not request authorization to excavate, package, or otherwise handle the radioactive material buried at the site. Only minor decommissioning activities are identified which involve:

- Termination and closure of the leachate collection and treatment system (LCTS) piping above grade (the LCTS has never been used to process liquids having residual radioactivity);
- Survey and removal of the LCTS building;
- Packaging and transport of extremely small quantities of sample/investigation derived wastes having low-levels of residual radioactivity; and
- Final Status Survey of the surface soils of the clay cover (after the building is removed, piping systems area terminated, and cover repairs have been effectuated).

The enclosed Decommissioning Plan for the site (revision 1) acknowledges and incorporates the comments and suggestions provided by the NRC following the acceptance review of the previously submitted version (revision 0). In addition to the written acceptance review comments provided by the NRC in a letter dated August 8, 2003, the Nuclear Regulatory Commission (NRC) and MDNR held a series of three conference calls (August 27, 2003, October 1, 2003, and November 6, 2003). These proved invaluable to both parties in coming to a clearer understanding of the issues that remained. As these discussions progressed, the NRC provided a revision to its earlier written acceptance review comments in a letter dated

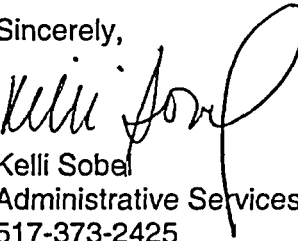
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November 14, 2003. MDNR appreciates the cooperative spirit shown by the NRC and looks forward to a swift technical review and endorsement of the DP by the NRC.

If you have any questions, please feel free to contact Ms. Denise Gruben at 517-335-4036.

Sincerely,



Kelli Sobel
Administrative Services Deputy
517-373-2425

Enclosures

cc: Ms. Kristina Banovac, US NRC (w/o enc)
Ms. Claudia Craig, US NRC (w/o enc)
Mr. Gene Bonnanno, US NRC
US NRC Document Control Desk
Mr. Phil Mazor, WMI
Mr. Robert Skowronek, MDEQ
Mr. Tim Bertram, MDEQ
Mr. Joe DeGrazia, MACTEC E&C (w/o enc)
Mr. Jeff Lively, MACTEC MDC (w/o enc)
Mr. David Freed, MDNR (w/o enc)
Mr. Denise Gruben, MDNR

NRC FORM 313
(11-2003)
10 CFR 30, 32, 33,
34, 35, 36, 39, and 40

U.S. NUCLEAR REGULATORY COMMISSION

APPROVED BY OMB: NO. 3150-0120

EXPIRES: 10/31/2005

APPLICATION FOR MATERIAL LICENSE

Estimated burden per response to comply with this mandatory collection request: 7 hours. Submittal of the application is necessary to determine that the applicant is qualified and that adequate procedures exist to protect the public health and safety. Send comments regarding burden estimate to the Records Management Branch (T-6 E6), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to infocollects@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0120), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

INSTRUCTIONS: SEE THE APPROPRIATE LICENSE APPLICATION GUIDE FOR DETAILED INSTRUCTIONS FOR COMPLETING APPLICATION. SEND TWO COPIES OF THE ENTIRE COMPLETED APPLICATION TO THE NRC OFFICE SPECIFIED BELOW.

APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:

DIVISION OF INDUSTRIAL AND MEDICAL NUCLEAR SAFETY
OFFICE OF NUCLEAR MATERIALS SAFETY AND SAFEGUARDS
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555-0001

ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS:

IF YOU ARE LOCATED IN:

CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, MAINE, MARYLAND,
MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, PENNSYLVANIA,
RHODE ISLAND, OR VERMONT, SEND APPLICATIONS TO:

LICENSING ASSISTANT SECTION
NUCLEAR MATERIALS SAFETY BRANCH
U.S. NUCLEAR REGULATORY COMMISSION, REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19406-1415

ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI, NORTH CAROLINA, PUERTO
RICO, SOUTH CAROLINA, TENNESSEE, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA,
SEND APPLICATIONS TO:

SAM NUNN ATLANTA FEDERAL CENTER
U. S. NUCLEAR REGULATORY COMMISSION, REGION II
61 FORSYTH STREET, S.W., SUITE 23T85
ATLANTA, GEORGIA 30303-8931

IF YOU ARE LOCATED IN:

ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND
APPLICATIONS TO:

MATERIALS LICENSING BRANCH
U.S. NUCLEAR REGULATORY COMMISSION, REGION III
801 WARRENVILLE RD.
LISLE, IL 60532-4351

ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS,
LOUISIANA, MONTANA, NEBRASKA, NEVADA, NEW MEXICO, NORTH DAKOTA, OKLAHOMA,
OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA, TEXAS, UTAH, WASHINGTON,
OR WYOMING, SEND APPLICATIONS TO:

NUCLEAR MATERIALS LICENSING SECTION
U.S. NUCLEAR REGULATORY COMMISSION, REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TX 76011-8064

PERSONS LOCATED IN AGREEMENT STATES SEND APPLICATIONS TO THE U.S. NUCLEAR REGULATORY COMMISSION ONLY IF THEY WISH TO POSSESS AND USE LICENSED MATERIAL IN STATES SUBJECT TO U.S. NUCLEAR REGULATORY COMMISSION JURISDICTIONS.

1. THIS IS AN APPLICATION FOR (Check appropriate item)

- ☐ A. NEW LICENSE
☒ B. AMENDMENT TO LICENSE NUMBER SUC-1581
☐ C. RENEWAL OF LICENSE NUMBER _____

2. NAME AND MAILING ADDRESS OF APPLICANT (Include ZIP code)

Michigan Department of Natural Resources
Office of Land and Facilities
Stevens T. Mason Building, 8th Floor
530 West Allegan Street
Lansing, MI 48933

3. ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED

2301 Two Mile Road
Bay County, Kawkawlin, MI 48631

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

Denise Gruben, RSO

TELEPHONE NUMBER

(517) 335-4036

SUBMIT ITEMS 5 THROUGH 11 ON 8-1/2 X 11" PAPER. THE TYPE AND SCOPE OF INFORMATION TO BE PROVIDED IS DESCRIBED IN THE LICENSE APPLICATION GUIDE.

5. RADIOACTIVE MATERIAL

- a. Element and mass number; b. chemical and/or physical form; and c. maximum amount
which will be possessed at any one time.

6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED.

7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR
TRAINING EXPERIENCE. (Medical use applicants: Complete NRC Form 313A)

8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS.

9. FACILITIES AND EQUIPMENT.

10. RADIATION SAFETY PROGRAM.

11. WASTE MANAGEMENT.

12. LICENSE FEES (See 10 CFR 170 and Section 170.31)

FEE CATEGORY | AMOUNT
ENCLOSED \$

13. CERTIFICATION. (Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON

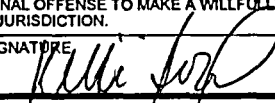
THE APPLICANT AND ANY OFFICIAL EXECUTING THIS CERTIFICATION ON BEHALF OF THE APPLICANT, NAMED IN ITEM 2, CERTIFY THAT THIS APPLICATION IS PREPARED IN CONFORMITY WITH TITLE 10, CODE OF FEDERAL REGULATIONS, PARTS 30, 32, 33, 34, 35, 36, 39, AND 40, AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF.

WARNING: 18 U.S.C. SECTION 1001 ACT OF JUNE 25, 1948 62 STAT. 749 MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHIN ITS JURISDICTION.

CERTIFYING OFFICER - TYPED/PRINTED NAME AND TITLE

Kelli Sobel, Deputy Director of Administration, MDNR

SIGNATURE



DATE

1-28-04

FOR NRC USE ONLY

TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			\$		
APPROVED BY				DATE	

Application for Material License (Continued)

5. **RADIOACTIVE MATERIAL:** Unchanged
6. **PURPOSE FOR WHICH LICENSED MATERIAL WILL BE USED:** This amendment requests the incorporation of the Tobico Marsh SGA Site Decommissioning Plan (DP) including the decommissioning activities proposed. The proposed decommissioning alternative is essentially a "no action" alternative in that it does not request authorization to excavate, package or otherwise handle the subsurface radioactive materials buried at the site. Only minor decommissioning activities are identified, which involve:
 - Termination and closure of the leachate collection and treatment system (LCTS) piping above grade (the LCTS system has never been used to process liquids having residual radioactivity);
 - Survey and removal of the LCTS building;
 - Packaging and transport of extremely small quantities of sample/investigation derived wastes having low-levels of residual radioactivity; and
 - Final Status Survey of the surface soils of the clay cover (after building is removed and piping systems terminated and cover repairs have been effected).
7. **INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING EXPERIENCE:** Unchanged
8. **TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS:** See Section 9.0 of the DP
9. **FACILITIES AND EQUIPMENT:** Unchanged
10. **RADIATION SAFETY PROGRAM:** See Section 10.0 of the DP
11. **WASTE MANAGEMENT:** See Section 12.0 of the DP