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MEMORANDUM FOR: Richard E. Cunningham, Director
Division of Industrial and Medical
Nuclear Safety, NMSS

Richard L. Bangart, Director
Division of Low-Level Waste Management
and Decommissioning, NMSS

FROM: Robert M. Bernero, Director
Office of Nuclear Material Safety
and Safeguards

SUBJECT: SITE DECONTAMINATION PROGRAM PLAN (SDP PLAN)

With a number of current activities coming together we have a Site Decontamination Program (SDP). The elements of it are: (1) the pursuit of the 31 contaminated sites described in SECY-88-308, (2) the pursuit of the few sites which have been added to that agenda since publication of SECY-88-308, (3) the conduct of the survey of licenses terminated between 1965 and 1981, (4) the pursuit of contaminated sites identified in that survey, and (5) the pursuit of contaminated site problems that may be identified in licensee response to new decommissioning rule requirements which are effective in 1990.

The general strategy for dealing with such sites is described in SECY-89-369. What we need now is a management and resource plan (SDP Plan) which identifies the necessary elements of this SDP, the staff responsible for them, their schedule, and the resources needed for their conduct. I would like a first draft of the SDP Plan by February 16, 1989. This SDP Plan shall be separate from the forthcoming NMSS Policy and Procedures Letter on Decommissioning Roles and Responsibilities which is now in preparation. Recognizing that decommissioning is ultimately a waste disposal activity, I will in general look to LLWM for responsibility although I recognize that this Plan and the Policy and Procedures Letter should include more explicit criteria for discerning the lead responsibility with decontamination activities during and after licensed operations at a site. I am assigning Mr. Bangart lead responsibility for developing and submitting the initial draft and directing Mr. Cunningham to provide the necessary input to Mr. Bangart to assure a quality product on schedule.

By this memorandum I want to set down some initial guidance for the SDP Plan.

1. The scope should be limited to problem sites that require remedial action and: (a) were formerly licensed (e.g., Kerr McGee Cushing) or unlicensed (e.g., West Lake Landfill), (b) are currently licensed sites where the financial or technical capability to decommission is not sufficient to

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satisfy the new requirements, or (c) are sites where substantial residues from formerly licensed activities constitute a significant remedial action problem beyond the scope of the existing license (e.g., source material at Safety Light). The SDP Plan should not include sites for which there will be conventional decommissioning. Thus, the SDP Plan will be a rough analog of the plans for sites on the EPA National Priorities List.

- 2. As part of the SDP Plan there should be a priority evaluation system for the sites that takes into account:
 - a. The threat to public health posed by the contamination.
 - b. The complexity and estimated cost of projected remedial action.
 - c. The timeliness of regulatory action. For example, prompt regulatory action may result in remedial action early and effectively.

The criteria for priority should, of course, put public health first but also enable a pragmatic approach which can single out and resolve simple issues and actions with dispatch so that the agenda does not become clogged with a growing list of minor actions.

- 3. An early product of the Plan's activities should be an explicit statement of policy, endorsed by the Commission, regarding license continuance or renewal when a licensee is unable to demonstrate adequate assurance of ability to decontaminate or decommission.
- 4. The SDP Plan should include a built-in annual updating.

Original signed by:

Robert M. Bernero, Director
Office of Nuclear Material Safety
and Safeguards

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