

June 28, 2004

MEMORANDUM TO: John Lubinski, Chief
Fuel Manufacturing Section
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

FROM: Mary Adams, Project Manager **/RA/**
Fuel Manufacturing Section
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

SUBJECT: MEETING SUMMARY - JUNE 15, 2004, MEETING WITH GENERAL
ATOMICS

On June 15, 2004, U.S. Nuclear Regulatory Commission (NRC) headquarters and Region IV staff met with General Atomics (GA), California Department of Health Services (DHS), and San Diego County Environmental Health staff at the GA site in San Diego. The purpose of the meeting was to discuss the status of decommissioning activities at the GA site and the status of decommissioning reviews by the NRC and DHS.

Sudana Kwok, the DHS GA Project Manager, described the status of her most recent inspections and release determinations. Her inspection reports and release approvals are awaiting DHS management approval.

Barbara Hamrick, special assistant to the Director of the Radiologic Health Branch (RHB), described the organization of the California Health and Human Services Agency, which includes DHS. RHB is within the Food, Drug, and Radiation Safety Division of DHS. Ms. Hamrick also described the current status of RHB's authority with respect to the license termination rule and preliminary feedback from a recent Integrated Materials Performance Evaluation Program (IMPEP) review of RHB's program by the NRC.

Dr. Keith Asmussen described the status of GA's waste yard release request. This is an area of the site where the State had the lead for decommissioning, based on the type of materials that were stored there. According to the agreement between NRC and RHB, RHB would perform in-process or confirmatory inspections and release the waste yard from the CA license; NRC would then release the waste yard from the NRC license based on RHB's findings. GA did use the waste yard for some NRC-licensed material. Since RHB is unable to release the waste yard from GA's license, GA has requested that NRC take the lead in releasing this area from the NRC license (by letter dated March 11, 2004). GA will send a letter to the NRC and RHB, clarifying which areas of the site are considered part of the wasteyard, and will provide additional support for the request that the NRC be the lead agency for this release.

NRC and RHB discussed the distinction between in-process inspections and confirmatory inspections. An in-process inspection might verify that GA did an adequate characterization prior to decommissioning or to final survey. A confirmatory inspection verifies that the decommissioned site meets the decommissioning plan release criteria.

The NRC and RHB discussed the implications of the Memorandum of Understanding (MOU) between the U.S. Environmental Protection Agency (EPA) and the NRC, regarding consultation and finality on decommissioning and decontamination of contaminated sites. Under the MOU, the NRC will consult with EPA on any site where either the planned level of residual radioactive soil concentrations in the decommissioning plan or the actual residual level of radioactive soil concentrations found in the final status survey (FSS) exceed the radioactive soil concentrations in Table 1 of the MOU. The NRC staff indicated that no decision had been made in the case of GA regarding the implementation of the MOU. The NRC staff also noted that if the FSS demonstrates radionuclide concentrations less than the "consultation triggers" in Table 1 of the MOU, consultation with EPA is not needed. RHB discussed the possibility of GA remediating the waste yard to levels below the MOU consultation triggers. RHB also discussed the possibility of GA revising its decommissioning plan to include clean-up levels corresponding to the MOU consultation triggers, as the final status surveys may already demonstrate that the actual levels of residual radioactivity are less than the MOU trigger concentrations. The NRC staff reiterated that the concentrations in Table 1 of the MOU are not clean-up criteria; the concentrations are simply trigger values to begin discussions between the NRC and EPA on a site that may trip these values. The NRC will provide clarification on any actions needed to meet the MOU, regarding the GA site. RHB noted that it will discuss the issue internally. Until the parties can further discuss this issue, GA will not revise its decommissioning plan.

DHS requested that GA submit a license renewal application. GA's RHB license expired in 1992, but because GA is decommissioning the site, neither NRC nor DHS renewed the license. GA operates under a "possession-only" NRC license that allows them to perform only those actions related to decommissioning the site. RHB staff said that a GA license renewal is a priority for RHB management as one outcome of the IMPEP review. RHB will discuss this issue internally and provide further information to GA.

Attachments:

1. Attendees list
2. Table S-1
3. Table of GA Submittals, 1999-present

June 28, 2004

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* see previous concurrence

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|-------------|----------|--|----------------|--|----------|--|------------|--|
| OFC | FCFB | | FCFB | | DWM | | FCFB | |
| NAME | M.Adams* | | J.Muszkiewicz* | | C.Craig* | | J.Lubinski | |
| DATE | 6/22/04 | | 6/22/04 | | 6/23/04 | | 6/28/04 | |

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**UNITED STATES
NUCLEAR REGULATORY COMMISSION
HEADQUARTERS**

MEETING ATTENDANCE FORM

Subject: Meeting With General Atomics To Discuss The Status Of Licensing And Site
Decommissioning Activities And To Coordinate With The California Department
Of Health Services

Date: June 15, 2004 Location: San Diego, California

PLEASE PRINT ALL INFORMATION LEGIBLY

| NAME (e.g. J.B. Doe) | COMPANY TITLE (V.P. Nuclear Operations) | PHONE NUMBER (Area code) XXX-XXXX |
|---------------------------------|--|--|
| Kristina Banovac | NRC/NMSS | (301) 415-5114 |
| Keith Asmussen | General Atomics | (858) 455-2823 |
| Blair Spitzberg | NRC/R IV | (817) 860-8191 |
| Rick Numoz | NRC/R IV | (817) 860-8220 |
| Barbara Hamrick | DHS/RHB | (714) 257-2031 |
| Sudana Kwok | DHS/RHB | (916) 440-7948 |
| Ron Yonemitsu | County of San Diego | (619) 338-2493 |
| Jeff Wong | Calif DHSA/RHB | (510) 540-2360 |
| Robert Greger | Calif DHS/RHB | (714) 257-2025 |
| Laura Gonzales | GA | (858) 455-2758 |
| William T. (Bill) Labonte | GA | (858) 455-2959 |
| | | |
| | | |
| Mary Adams | NRC/NMSS | Attended via Telephone |
| | | |