

MEETING REPORT

Date: Tuesday, July 28, 2004

Time: 1:00 PM to 4:00 PM

Place: U.S. Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852
Room O-O4B6

Purpose: To discuss a proposed license amendment for Jefferson Proving Ground

Attendees: See Attachment A

Background:

In a letter dated February 4, 2003 (See ADAMS ML030520478), the U.S. Army made a contingent request for an alternate schedule for submittal of a Decommissioning Plan (DP) for the termination of the Jefferson Proving Ground (JPG) license SUB-1435. The letter states that the unexploded ordnance (UXO) on site is a safety hazard. Therefore, the Army would not be able to provide site-specific data if required by the Nuclear Regulatory Commission (NRC) during the technical review of the current DP. The Army proposes a license amendment for SUB-1435 that would create a 5-year renewable possession-only license for an indefinite time period. The NRC staff has concluded that under the unique circumstances of this case, where the collection of data to complete the DP in itself could create personnel safety hazards, and the licensee—a federal agency—is a stable and durable entity that can provide access controls and monitoring in accordance with NRC's requirements, extending the requirement to submit a DP until the necessary data can be safely collected and models validated could be approved under 10 CFR 40.42(g)(2). The Army submitted a revised Environmental Radiation Monitoring (ERM) Program Plan (See ADAMS ML032731017 dated September 30, 2003) for its proposed license amendment. NRC staff reviewed the ERM and sent the Army a request for additional information (RAIs) (See ADAMS ML041350063 dated May 20, 2004) along with an offer to discuss the RAIs at NRC Headquarters in a meeting open to the public.

Discussion

The NRC PM gave an overview of the review of the proposed ERM using selected pages from the ERM, Regional Range Study, and other references (Attachment B). The reasoning for proposing to sample monitoring wells 3 and 4 annually was found to be flawed as the Army has been analyzing for total uranium rather than depleted uranium (DU). The hypothesis that the conceptual site model used to define, test, and validate the DU Impact Area is valid was questioned. Although monitoring wells 9 and 11 are close to the area of highest concentration of penetrators, the recharge rate of the wells is too low and samples to determine DU concentration in groundwater as part of the Regional Range Study could not be taken.

The RAIs were then discussed with very few questions from the Army. One question that the Army wanted clarified was the request for the solubility of DU. NRC staff will provide the Army with more specific information within 45 days. NRC staff offered to have a teleconference in

early September to reduce the need for additional RAIs following the Army's response to the initial RAIs by November 1, 2004.

The public made several observations about the proposed ERM. There was concern about the placement and appropriateness of monitoring wells and the lack of a good conceptual site model. The public is confused as to why the Army could safely collect penetrators in the past but cannot collect data to validate an off-site transport model due to UXO. The public also wanted clarification of the Memorandum of Understanding between NRC and the Environmental Protection Agency and who had the oversight authority for the non-radiological effects of DU.

Action Items

1. Jon Peckenpaugh will provide the Army with specific details about the request for information on the solubility of DU within 45 days.
2. Diane Henshel will write a letter to both NRC and the Environmental Protection Agency by the end of the week to determine which Agency has the responsibility for the radiological effects and the non-radiological effects of DU.

Attachments:

1. Meeting Attendees
2. Selected Pages From References

Docket No.: 040-08838

License No.: SUB-1435

cc: JPG Dist. List

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Ticket No.: N/A

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DATE	08/09/04		08/09/04	

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MEETING ATTENDEES

Topic: Discussion of license amendment for JPG

Date: July 28, 2004

NAME	AFFILIATION	PHONE NUMBER
Thomas McLaughlin	NRC/NMSS/DWMEP/MDS	301-415-5869
Kimberly Gruss	NRC/NMSS/DWMEP/MDS	301-415-4145
Jon Peckenpaugh	NRC/NMSS/DWMEP/PAS	301-415-6753
Mark Thaggard	NRC/NMSS/DWMEP/PAS	301-415-6718
Stephen Lewis	NRC/OGC	301-415-1684
Peter Lee	NRC/Region III	630-829-9870 (call in to conference)
Joyce Kuykendall	U.S. Army	410-436-7118
Paul Cloud	U.S. Army	410-436-2381
John Welling	U.S. Army	309-782-8433
Ken Knouf	U.S. Army	(call in to conference)
Corinne Shia	SAIC	703-318-6993
Todd Eaby	SAIC	717-901-8823
Richard Hill	Save the Valley	(call in to conference)
Mike Mullett	Save the Valley	(call in to conference)
Jim Pastorick	Save the Valley/GeophexUXO	(call in to conference)
Chuck Norris	Save the Valley/Geo-Hydro, Inc.	(call in to conference)
Diane Henshel	Save the Valley/Henshel and Associates	(call in to conference)