

August 27, 2004

Mr. Dennis Fedewa
Administrative Services Chief Deputy
Michigan Department of Natural Resources
Office of Legal Services
P.O. Box 30028
Lansing, MI 48909

SUBJECT: NRC REQUEST FOR ADDITIONAL INFORMATION (RAI) WITH REGARD TO
THE DECOMMISSIONING PLAN, REVISION 1, FOR THE MICHIGAN
DEPARTMENT OF NATURAL RESOURCES' TOBICO MARSH STATE GAME
AREA SITE, KAWKAWLIN, MICHIGAN

Dear Mr. Fedewa:

In a letter dated, April 22, 2004, the U.S. Nuclear Regulatory Commission (NRC) informed you that Revision 1 of the Decommissioning Plan (DP) for the Michigan Department of Natural Resources' (MDNR's) Tobico Marsh State Game Area site was found to be acceptable for a detailed technical review. In that letter, we indicated that during our detailed technical review we may identify omissions in the submitted information or identify technical issues that were not identified or addressed during our acceptance review. This letter discusses the omissions and technical issues that arose during our review.

In Revision 1 of the DP, dated January 2004, you addressed many of the issues raised in our acceptance review of your original DP submittal, including several regarding the Leachate Collection and Treatment System (LCTS). Specifically, the DP addressed issues regarding the possible contamination of the LCTS and the justification for removal of the on-site LCTS Building. However, you were not asked about potential leakage from the waste cell nor about the need for leaving the LCTS in place and operable. Since you have requested that the site be released for unrestricted use, issues regarding the LCTS will need to be addressed. The enclosure to this letter specifically addresses those issues and requests additional information.

Once we receive your response to this request, and determine that no additional information is needed, the technical review of Revision 1 of the DP should be completed within 90 days. If you wish to meet to discuss the enclosed questions or if you have any questions regarding this letter, please contact me at (301) 415-6626 or dwn@nrc.gov.

Sincerely,

/RA/

David W. Nelson, Project Manager
Decommissioning Directorate
Division of Waste Management
and Environmental Protection
Office of Nuclear Material Safety
and Safeguards

Docket No.: 40-9015
License No.: SUC-1581
cc: MDNR Distribution List

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DATE	08/17/04	08/17/04	08/18/04	08/19/04	08/27/04

Request for Additional Information

1. In section 8.0, "Planned Decommissioning Activities", you state, in part, that planned decommissioning activities for the site include the removal of above-grade components of the Leachate Collection and Treatment System (LCTS). Other activities include cutting, capping, and sealing the LCTS piping just below grade level, and removing the LCTS Building. These activities would permanently disable the LCTS system. The Michigan Department of Environmental Quality (MDEQ), who has regulatory jurisdiction over the non-radiological hazardous materials on MDNR and S. C. Holdings sites, has indicated in conversations with the NRC, MDNR and S.C. Holdings that the LCTS needs to remain operational and should not be disabled. The MDEQ believes that the system will be needed to remove leachate from waste cells at both sites to reduce the potential for leaks. We are concerned that if a new leachate system needs to be constructed in the future, thorium contamination from within the cell could be released and contaminate the cell cap and the surrounding environment. Provide a commitment to leave the LCTS in place or otherwise provide assurance that at some future date, MDNR will not be required to construct a new leachate collection system in the MDNR waste cell.
2. With regard to the waste cell, it is conceivable that if the LCTS is disabled, sufficient hydraulic pressure could build within the cell causing leakage of leachate. Provide additional information to ensure that disabling the LCTS System will not lead to leakage of leachate contaminated with thorium and/or its daughter products.
3. If the DP is amended and the LCTS is not dismantled and remains operational, it is possible that during operation of the system, piping or tanks could leak leachate. If that leachate contains thorium or its daughter products, the cell cap and the surrounding areas could become contaminated. MDNR needs to identify the actions it would take if, during operation, the LCTS leaks leachate that contains thorium or its daughter products. Since MDNR requests unrestricted release of the site after remediation, the staff requires assurance that any future operation of the LCTS will not pose an unacceptable radiological dose to those who may be exposed to the leachate. Additionally, this dose needs to be identified in your response.
4. If the LCTS remains operational, future workers may be exposed to radioactive contamination within the LCTS piping, wells, and tanks. MDNR should identify the potential dose to LCTS workers and visitors during the operation of the system.