



KERR-McGEE CORPORATION

1001 EAST DEEP ROCK • CUSHING, OKLAHOMA 74023

January 24, 2005

Mr. Derek Widmayer, Project Manager
Low-Level Waste & Decommissioning Projects Branch
Division of Waste Management
Office of Nuclear Materials Safety & Safeguards
U. S. Nuclear Regulatory Commission
Washington, DC 20555

Re: Kerr-McGee Cushing Site
Docket No. 70-3073
License No. SNM-1999

Dear Mr. Widmayer:

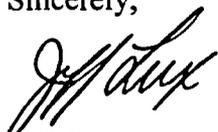
Pursuant to discussions concerning surface disturbing activities as a result of Interim Remedial Measures and Phase II Remedial Investigation activities at the Cushing site, KM submits Attachment 1 as an amendment request to License Number SNM-1999.

License Condition 11.P allows the Cushing ALARA Review Committee (ARC) to make changes to the approved Site Decommissioning Plan (SDP) or Radiation Safety Plan (RSP) as long as certain criteria are met. The ARC has reviewed the activities and believes that the work constitutes a change to the decommissioning process. Section 6.1 of the SDP states, "Once areas of the Cushing site have been decontaminated and decommissioned to levels that satisfy criteria presented in Section 3.2, they will be ready for final status survey. ... Some soil containing licensed material below the criteria will have been left in place or moved." The SDP does not explicitly state that material below the criteria will remain undisturbed between the time decommissioning is complete and release from license. However, NRC staff has indicated that this is implied in that no provision is made for areas which are disturbed after final status surveys are complete, but before areas are released from license. Consequently, the ARC cannot make a change to the SDP since the "decommissioning process" is changed. Table 1 (attached) provides a description of the on-going non-radiological environmental remediation activities at the Cushing site.

Attachment 1 is presented as a revision to Section 6 of the SDP, through the addition of Section 6.7 "ACTIVITIES SUBSEQUENT TO FINAL STATUS SURVEY". However, if the NRC prefers to approve the concept as a license tie-down this is acceptable to KM.

If you have any questions or comments regarding this submittal, please call me at (405) 270-2694 (OKC) or at (918) 223-2522 (Cushing).

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Lux". The signature is written in a cursive, flowing style.

Jeff Lux
Project Manager

cc: NRC Public Document Room
Cushing Public Repository
Blair Spitzberg, NRC Region IV
Mike Broderick, ODEQ Radiation Management Division

Attachment 1

6.7 ACTIVITIES SUBSEQUENT TO FINAL STATUS SURVEY

Subsequent to the submittal of FSSRs, certain surface disturbing activities will be necessary due to the ongoing non-radiological environmental remediation of the site. It is KM's intent to keep these activities to a minimum in areas that have not yet been released from the license; however, commitments to other agencies and/or site operations will result in some changes in the period of time between FSSR submittal and release from the license for unrestricted use.

Examples of this activity include, but are not limited to:

- Planting trees along Skull Creek, as required by the Army Corp of Engineers, as a result of an off-site oil seep mitigation project,
- Phase II Remedial Investigation (Phase II RI) activities or Interim Remedial Measure (IRM) activities,
- Disking surficial soils and applying fertilizer during establishment and maintenance of the vegetative cover for decommissioned areas,
- Excavation for utility repairs,
- Movement of hydrocarbon impacted Investigation/Remediation Derived Waste (IDW/RDW) generated as a result of these activities into the storage area in Sector 11 pending disposition,
- Movement of hydrocarbon impacted IDW/RDW out of the storage area for final placement.

As stated in Section 6.1, decommissioning is complete prior to starting the FSS. All identified material exceeding the decommissioning criteria has been removed and disposed of at a licensed disposal facility.

To minimize the impact of activities subsequent to FSS on the release process, KM will continue to monitor these activities under the established Radiation Protection Program. This will include appropriate surveys and sampling of excavated material and the excavations. The IDW storage area in Sector 11 will continue to be operated as an active storage facility for hydrocarbon impacted material. Appropriate surveys and sampling will be conducted for material brought onto or released from the licensed site or transferred from one portion (Sector) of the licensed site to another.

A data package will be prepared for each Sector where soil disturbance occurs as supplementary supporting data for the FSS. The data packages will be retained on site for NRC review prior to release of the Sector. Should any of the data identify material exceeding the decommissioning criteria or adversely affecting the information provided in the FSSR, KM will notify the NRC.

Table 1

CUSHING SITE ACTIVITIES AFFECTING DECOMMISSIONED AREAS

AFFECTED AREA	ACTIVITY DESCRIPTION
Sectors 10 & 11	Planting trees and shrubs along Skull Creek as required by the Army Corp of Engineers. This activity involves digging holes up to 4'x 4' wide and 4' deep. Soil will be replaced after planting. Additional soil may be imported. On-going maintenance (watering, re-planting) will involve vehicle traffic and the use of fertilizers. Soil found to contain hydrocarbons will be removed to the IDW storage area in Sector 11.
Sector 11 All Sectors	Removing a portion of the haul road in Sector 11 for tree planting. On-going road maintenance performed in all sectors.
All Sectors IDW Storage Area South Tank Farm	Moving chemically contaminated (xylene, lead, asbestos, hydrocarbon, etc.) materials into the IDW Storage Area and the subsequent relocation of the materials to the disposal cell. This activity involves significant truck traffic.
Sector 8	Removal and replacement of a SemCrude oil pipeline as a result of the Skull Creek Oil Seep Project. This activity involves excavation as well as heavy equipment and truck traffic.
All Sectors	Excavation activities in support of Interim Remedial Measures and Phase II Remedial Investigation activities (i.e. installation, repair, or removal of underground water lines, pipelines and monitor wells).
All Sectors	Disking, planting, fertilizing of surficial soils during the establishment and maintenance of vegetative covers in decommissioned areas. These activities will also involve on-going vehicle traffic.
All Sectors	Phase II Remedial Investigation techniques involving intrusive and non-intrusive surveys. Intrusive investigations require borings. These activities will involve heavy equipment and truck traffic.