



KERR-McGEE CORPORATION

1001 EAST DEEP ROCK • CUSHING, OKLAHOMA 74023

March 15, 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, Release of Sector 6
Docket No. 70-3073
License No. SNM-1999

Dear Mr. Widmayer:

Kerr-McGee (KM) received your comments on the License Amendment Request to add a Section to the Site Decommissioning Plan (SDP) or a License Condition (tie-down) regarding activities subsequent to Final Status Survey (FSS) in a letter dated March 1, 2005. KM's response to the RAI questions/comments follows. A revision to the proposed SDP Section 6.7 (or tie-down) is submitted (changes in red-line/strike-out) herein as further clarification.

NRC Comment 1, Paragraph 1; Sentence 2:

Describe the methods or practices (e.g., pre-planning coordination meetings, notifications) that will be implemented to "keep these activities to a minimum" that could potentially impact areas which have a completed Final Status Survey (FSS), but which have not yet been released from the license.

KM Response:

KM has two avenues of review for activities that have the potential to affect the surface (or sub-surface) of the licensed site:

- a.) KM has a periodic (every 2 to 3 weeks) Site Team Meeting that includes Cushing management and management from all on-site Cushing contractors. All near term projects (and the potential impact) are discussed at this meeting. Every other meeting includes a "Look Ahead" agenda item that focuses on projects that are further out to permit time to assess the potential for impact.
- b.) On a quarterly basis the ALARA Review Committee (ARC) (License Condition 11.3.P) reviews activities planned for the licensed site. The ARC reviews these activities from both ALARA and license impact perspectives which includes the

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project risk and impact from proceeding or delaying the anticipated activities until after NRC license release.

NRC Comment 2, Paragraph 4; Sentence 2:

Describe the "appropriate surveys and sampling of excavated material and the excavations" that will be performed (or reference/identify previous sections of the DP, as appropriate).

KM Response:

Surveys will be conducted in accordance with established HP Operations procedures. At a minimum a gamma scan survey will be conducted following the methodology described in Section 6.4.3.4 of the Site Decommissioning Plan (SDP). The data from this survey will be evaluated using the Hot Spot Evaluation Protocol described in Appendix D of the Sector 4 Final Status Survey Report (FSSR). Additional surveys and/or sampling, meeting the SDP Section 6.4 criteria, will be conducted as dictated by the evaluation. (See also revised Section 6.7)

NRC Comment 3, Paragraph 5; Sentence 1:

Describe the "data package" that will be prepared where disturbance occurs after the FSS (or reference/identify previous sections of the DP, as appropriate).

KM Response:

"Data Package" was meant to imply the survey documents, and any additional information collected as a result of the evaluation of the surveys, sufficient to demonstrate compliance with the decommissioning criteria and license conditions. It was not meant to imply a standardized submittal package since each case will be different. These "data packages" will be maintained and available for NRC review.

NRC Comment 4, Paragraph 5; Last sentence:

Briefly describe how "material exceeding the decommissioning criteria or adversely affecting . . . the FSSR," will be managed if it is discovered. (Reference/identify previous sections of the DP, as appropriate).

If material is located that exceeds the decommissioning criteria, (i.e., requires excavation), it will be identified and processed in accordance with Section 3.4 of the SDP. If excavation is necessary, a revision or supplement to the FSSR will be prepared and submitted to the NRC, in compliance with the SDP, following removal. (See also revised Section 6.7)

NRC Comment 5, Table 1:

Several activities in Table 1 involve heavy equipment and truck or vehicle traffic as part of the description of how the impacted sectors could be affected. Excavations and excavated soil will be surveyed and sampled, as described in paragraph 4 of Section 6.7, but there is no mention of plans for surveying/sampling of roads and/or areas that may have significant truck or vehicle traffic. Briefly describe the circumstances under which KMG will survey/sample non-excavation-related areas of the impacted sectors, and what methodologies will be used.

KM Response:

Vehicles and equipment being used for soil disturbing activities off of the existing roadways on the licensed site are routinely surveyed on arrival and release from the site in accordance with established HP Operations procedures. During decommissioning activities, when material exceeding the decommissioning criteria was being transported for storage/loading, surveys (visual and gamma scan) were conducted over the transport surfaces (established and temporary roads) at a minimum of once per day. If excavation and transport is necessary due to discovery of material exceeding the decommissioning criteria, the same procedures and protocols will be used. If contamination is found on vehicular or equipment surfaces, KM will also perform gamma scans (Section 6.4.3.4) of the roadways traversed to identify the presence of any areas exceeding the scan threshold. Further action will be taken, as necessary, in accordance with the Hot Spot Evaluation Protocol to ensure compliance with the release criteria.

If you have any questions or comments regarding this response, 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', is written over the printed name.

Jeff Lux
Project Manager

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

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 will result in some surficial changes in the period of time between FSSR submittal and release from the license.

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. At a minimum, all disturbed areas, excavations, and excavated material will be surveyed following the methodology described in Section 6.4.3.4. The data will be evaluated using the Hot Spot Evaluation Protocol described in Appendix D of the Sector 4 Final Status Survey Report (FSSR). 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 (as above) 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, if desired, 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. If material exceeding the decommissioning criteria is located, it will be identified and processed in accordance with Section 3.4. A suitable storage area will be designated as a Radioactive Material Area (RMA) for protected storage until it is shipped off-site for disposal. If additional decommissioning activities become necessary, a supplement to the appropriate FSSR(s) will be prepared and submitted to the NRC.