

REGION I TECHNICAL ASSISTANCE REQUEST				
Date:	June 7, 2005	Package Accession No.	ML050960108	
ADAMS Send to:	Dominic Orlando Division of Waste Management and Environmental Protection, NMSS			
From:	George Pangburn, Director Division of Nuclear Materials Safety			
Original signed by:		/RA/		
Licensee:	Heritage Minerals, Inc.			
License No.	SMB-1541	Docket No.	040-08980	Control No. 136715
Letter Dated:	March 4, 2005	ADAMS Accession No.	ML051010167	
Enforcement Action being held in abeyance:	X	Yes		No
<p>Problem or Issue:</p> <p>Heritage Minerals, Inc. (HMI) has completed remediation of the licensed portions of the site (mill buildings and monazite pile storage area). Because HMI had submitted a License Termination Plan (LTP) which was approved by the Commission before 8/20/99, it was exempt from the radiological criteria for license termination specified in 10 CFR 20 Subpart E (i.e., it is a "grandfathered" site). The LTP for HMI specified the decommissioning criteria for unrestricted use listed in Option 1 in the 1981 Branch Technical Position on "Disposal or Onsite Storage for Thorium or Uranium Wastes from Past Operations" (46 FR 52061) and NRC "Guidelines for Decontamination of Facilities and Equipment Prior to Release for Unrestricted Use for Termination of Byproduct, Source, and Special Nuclear Material Licensees," Policy and Guidance Directive, FC-83-23. In SECY 04-0024, the Commission directed that the staff need not seek its permission to release grandfathered sites as long as the dose from residual radioactivity at the site does not exceed the unrestricted release provisions in Subpart E. HMI has shown that its licensed areas have been remediated to the concentration-based criteria specified in its LTP. However, the staff must determine if the NRC-licensed areas meet the dose-based criteria in Subpart E.</p> <p>A site-specific model will be required to consider only the NRC-licensed portions of the site (the wet and dry mill building pads and the monazite pile storage area). These areas are separated by a buffer zone that contains unlicensed material in concentrations up to 116 pCi/g natural thorium. A description of the NRC-licensed areas is contained in the referenced 2002 TAR (ADAMS Accession No. ML022550623).</p>				

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Action Requested: Perform radiological dose assessment from remediated mill structures and soil from HMI processing operations of monazite sands containing licensed material. Determine if the licensed portions of HMI meet the dose-based criteria for release for unrestricted use specified in 10 CFR 20 Subpart E.		
Recommended Action and Alternatives	<input checked="" type="checkbox"/> Accept	<input type="checkbox"/> Reject
The only alternative to the requested action is to not perform the dose assessment. Without the results of the dose assessment, it cannot be determined whether Commission approval is necessary for release of the HMI site.		
TARs addressing similar issues (subject, date and location): 1) Heritage Minerals., Disposal Plan for Monazite (April 29, 1992) ML051520196 2) Determine Scenarios and Assess Doses/DCGLs for Heritage Minerals, Inc. (September 13, 2002) (ADAMS Accession No. ML022550623) 3) Proposed Buffer Zone and Disposition of Stockpiled Material (8/30/04) ADAMS Accession No. ML042320200		
Background Documents (Include date and ADAMS Accession Number): 1) Characterization Survey for Heritage Minerals, Inc. (12/20/02) ADAMS Accession No. ML030090197 2) Heritage Minerals, Inc. Termination Request (includes final soil sample results and mill pad contamination survey results) (03/04/05) ADAMS Accession No. ML051010167 3) Heritage Minerals Letter dated 11/17/04 (11/17/04) ADAMS Accession No. ML043240049 4) ORISE: Analytical Results for Soil Samples from HMI (02/14/05) ADAMS Accession No. ML050960038		
Remarks: 1) The dose assessment should only consider the licensed portions of the site, defined as the mill building structures and the former storage location of the monazite pile. 2) The applicable TAC for this license is U01607		
Reviewer: Marjorie McLaughlin	(610) 337- 5240	Reviewer Code: L9
Needed By (date): July 6, 2005		

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