

July 19, 2005

Dr. Keith E. Asmussen, Director
Licensing, Safety & Nuclear Compliance
General Atomics
P.O. Box 85608
San Diego, CA 92186-9784

SUBJECT: REQUEST FOR NRC TO BE THE LEAD AGENCY FOR THE RELEASE OF
GA'S NUCLEAR WASTE PROCESSING FACILITY AND ADJACENT
SURROUNDING AREAS TO UNRESTRICTED USE UNDER LICENSE
SNM-696

Dear Dr. Asmussen:

We have considered your request for the Nuclear Regulatory Commission (NRC) to be the lead agency for release of GA's Nuclear Waste Processing Facility (NWPF) and adjacent surrounding areas for unrestricted use, submitted by letter dated April 4, 2005 (GA No. 696/CAL-3855). Agreements between Edgar Bailey of the California Department of Health Services (CDHS) and Paul Lohaus of the NRC Office of State and Tribal Programs were documented in letters dated January 13, 1999, April 23, 1999, and June 2, 2000. Recent actions where NRC was the lead agency were documented in letters dated January 24, 2003, and April 21, 2004.

Notwithstanding previous agreements, during the joint meeting of the State of California, NRC, and General Atomics on June 15, 2004, NRC stated that no regulatory objections had been identified.

Because the NWPF received wastes from licensed activities involving Special Nuclear Material (SNM), it is appropriate for NRC to have the lead responsibility for confirmatory surveys for the NWPF and adjacent areas. This justification was reiterated in a letter dated May 18, 2005, from Edgar Bailey (CDHS) .

We will resume review of the final status survey reports for these areas, and will schedule confirmatory inspections through coordination with you. We will review the reports and evaluate the confirmatory inspection results in accordance with the sitewide Decommissioning Plan, which was approved by NRC in SNM-696, License Amendment 45, issued April 20, 1998, and by the State of California by amendment 127 to License 0145-37, dated August 26, 1997.

If you have any questions regarding this letter, please contact me at (301) 415-6155 or by e-mail at mnbnrc.gov.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA/

Merritt N. Baker, Project Manager
Fuel Manufacturing Section
Fuel Cycle Facilities Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket 70-734
License SNM-696

cc: Ms. Sudana Kwok
State of California
Department of Health Services
Radiologic Health Branch Mail Stop 178
601 North 7th Street
Sacramento, CA 95814-0208

K. Asmussen

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Sincerely,

/RA/

Merritt N. Baker, Project Manager
Fuel Manufacturing Section
Fuel Cycle Facilities Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket 70-734
License SNM-696

cc: Ms. Sudana Kwok
State of California
Department of Health Services
Radiologic Health Branch Mail Stop 178
601 North 7th Street
Sacramento, CA 95814-0208

**Confirmed by letter from California DHS dated 5/18/05
and via Telecon with SKwok, California DHS 7/11/05**

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