



UNITED STATES  
 NUCLEAR REGULATORY COMMISSION  
 REGION III  
 799 ROOSEVELT ROAD  
 GLEN ELLYN, ILLINOIS 60137

~~DAALUETS~~  
 Seniowski  
 France  
 BSM 11/2/89

Docket: 0700 0036

October 26, 1989

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MEMORANDUM FOR: A. Bert Davis, Regional Administrator  
 FROM: Roland Lickus, Chief, State and Government Affairs  
 SUBJECT: TRIP REPORT - HILLSBORO, MISSOURI

On October 25, 1989, I was in the subject location attending an Atomic Safety and Licensing Board Panel prehearing conference in the matter of Combustion Engineering's Fuel Fabrication Facility license amendment proceeding. In addition, I attended a meeting to hear oral arguments from the public on this matter on October 24, 1989. Administrative Judge Charles Bechhoefer presided over these meetings. During the oral arguments from the public on October 24, seven individuals made statements. Six of the seven individuals expressed concern or opposition to the licensing action and Combustion Engineering's response to an unplanned uranium release at the Hemitite facility on August 28, 1989. One individual (a Combustion Engineering employee) spoke in favor of the licensing action.

On October 25th, the prehearing conference was delayed because the parties to the proceeding were conferring in an attempt to work out a settlement. After an hour delay, the parties (State Senator Jay Nixon, Martha Dotson, and lawyers for Combustion Engineering) announced to Judge Bechhoefer that they had reached a settlement (joint stipulation enclosed) and as a result, the petitions of Ms. Dotson and Senator Nixon would be withdrawn. Senator Nixon thanked the NRC for their efforts in this issue including the public meeting and recent inspection effort. He did state that he felt, however, the actions by the parties involved did produce actions in the public interest that would not have otherwise occurred. Judge Bechhoefer accepted the joint stipulation and approved the withdrawal of the parties. He also dismissed Ms. Sisk as a party due to her lack of participation.

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I met with Senator Nixon after the prehearing conference. Senator Nixon expressed a desire to be kept informed of regulatory issues at the Combustion Engineering facility. I offered our continued cooperation in this regard. Region III should, therefore, ensure that all formal communications with the licensee are sent to Senator Nixon and that he be informed of any significant issues or meetings that may occur in the near future.

  
Roland Lickus, Chief  
State and Government Affairs

Enclosure: As stated

cc w/enclosure:  
J. Clifford, OEDO  
C: Kammerer, SLITP  
R. Bernero, NMSS  
L. Rouse, NMSS  
C. Paperiello, RIII  
C. Norelius, RIII  
B. Mallett, RIII

Joint Stipulation Among Combustion Engineering, Inc.,  
Sen. Jeremiah W. (Jay) Nixon, and Mrs. Martha Dodson

1. The amendment does not authorize an increase in the limitations on quantities of radioactive material authorized on site.
2. The amendment will not authorize an increase in quantities of uranium product transported from the site by Combustion Engineering.
3. Combustion Engineering's intention is to remove low level radioactive waste produced by the pelletizing operations under the amendment from the site for disposal at an approved off-site facility, as reasonably available. Except for high efficiency filters (used to remove uranium from exhaust air), Combustion Engineering does not anticipate any significant increases in the quantity of low level radioactive waste from this amendment.  
*removed under part*
4. On or before July 27, 1990, Combustion Engineering will comply with the NRC's new regulations on funding decommissioning (10 C.F.R. 70.25). These regulations provide greater independent assurance of the availability of funds for decommissioning than under the NRC's practices in 1979. *adopted 1988*
5. Upon approval by the NRC, Combustion Engineering will provide an additional remote sampling site. In the unlikely event of releases of radioactive material in excess of license "action levels", Combustion Engineering will perform radiation surveys, including, as appropriate, off-site surveys. *at least 2000 ft  
4 hrs away →  
to 1000 ft*
6. In the event ~~a site emergency is declared~~, Combustion Engineering will notify, as appropriate, off-site response organizations. *an off site release - similar or more severe than that  
radiological emergency plan*
7. Combustion Engineering will continue to work with the NRC to meet the NRC's regulatory requirements concerning the evaporation ponds.

This Joint Stipulation will become effective upon the Presiding Officer's approval of the withdrawal of the petitions of Senator Nixon and Mrs. Dodson and the termination of the NRC proceedings.