

September 9, 2005

MEMORANDUM TO: Gary Janosko, Chief
Fuel Cycle Facilities Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

THRU: Julie Olivier, Acting Section Chief /RA/
Fuel Cycle Facilities Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

FROM: Mary Adams, Backup Project Manager & /RA/
Matthew Bartlett
Fuel Manufacturing Section
Fuel Cycle Facilities Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

SUBJECT: SUMMARY OF MEETING BETWEEN GENERAL ATOMICS AND THE
CALIFORNIA DEPARTMENT OF HEALTH SERVICES, RADIOLOGIC HEALTH
BRANCH, AUGUST 30, 2005

On August 30, 2005, Mary Adams and Dr. Matt Bartlett of the Fuel Manufacturing Section attended the annual decommissioning status meeting at General Atomics (GA) in San Diego, California. This was an open public meeting that was announced on the Nuclear Regulatory Commission (NRC) public meeting web site on August 23, 2005. No members of the public were in attendance. Other attendees included: three staff from NRC's Region IV office, and five staff from the California Department of Health Services (CDHS), Radiologic Health Branch, as well as three GA representatives.

Dr. Spitzberg, NRC Region IV, discussed management changes in Region IV, specifically, the appointment of Leonard Wert as the Division Director of the Nuclear Materials and Safety. Mr. Wert visited the California state program in June. Ms. Adams discussed the status of the Fuel Cycle Safety and Safeguards Division, specifically, the ongoing work on gas centrifuge licensing, Integrated Safety Assessment (ISA) reviews, and the delay in the mixed oxide fuel license application. Dr. Spitzberg asked about the status of California's decommissioning regulations, to which Barbara Hamrick, CDHS, responded that she was unsure of the current status, but that radioactive material licenses are being terminated on a case-by-case basis.

Dr. Ronald Rogus replaced Sudana Kwok as the new GA project manager for CDHS. John Fassell replaced Freida Taylor as the new Senior Health Physicist in the Licensing Projects Unit.

Dr. Asmussen of GA stated that there have been no management changes at GA since the June 2004 meeting. GA now possesses less than a Category III quantity of material. Ms. Adams and Dr. Spitzberg encouraged GA to amend license SNM-696 to reflect the actual amount of material possessed. Dr. Asmussen stated that GA was considering transferring a small amount of special nuclear material (SNM) from the NRC license to the State license, as a step toward termination of the NRC materials license, and has discussed with the NRC how best to make that transfer. The material that GA intends to keep is 90 grams of U-235 in historic high-temperature gas reactor fuel samples. Ms. Hamrick said a transfer of material is outside CDHS's understanding of the agreement between the NRC and CDHS. The agreement, sent out in three letters, between Edgar Bailey of CDHS, and Paul Lohaus of the NRC's Office of State and Tribal Programs, states that the NRC will retain responsibility for SNM at GA's site until all areas of the site that were used for NRC-licensed material have been decommissioned. Ms. Adams and Dr. Rogus took this issue as an action item to be resolved after the meeting. Dr. Asmussen also said there are two slightly-irradiated TRIGA fuel elements that have been moved to the TRIGA reactor building and can be transferred to the reactor license.

John Fassell of CDHS asked about the status of GA's response to a list of deficiencies in a license renewal application to CDHS. Dr. Asmussen said GA expects to provide a reply within 60 days, and Mr. Fassell agreed to that timetable. Since the NRC released the California Department of Toxic Substance Control (DTSC)-permitted area from the NRC license in Amendment 83, GA can drop the financial assurance for that area.

Ms. Gonzales, GA, distributed copies of Table S-1, that lists all areas of the site (including buildings, land areas, and underground pipes and tanks), together with each area's decommissioned status, and which agency has the lead. GA only has two areas to request the NRC to release. They are: Building 21 non-TRIGA area, and the rest of the Building 2 service corridor. GA expects to request release of these areas within 6 months. This week NRC Region IV is performing a confirmatory survey of a portion of the Building 2 service corridor.

GA also asked about the status of the Nuclear Waste Processing Facility and the adjacent surrounding areas release request. GA sent a letter dated April 4, 2005, requesting that the lead for this area be transferred to the NRC, because it was used for activities involving NRC-licensed SNM. In a letter dated May 18, 2005, CDHS agreed to the transfer, and in a letter dated July 19, 2005, the NRC agreed to take the lead for this area. The NRC will perform this review, and issue an amendment releasing the area from the NRC license.

Ms. Gonzales and Dr. Asmussen further discussed other areas of the site in Table S-1. Several other areas remain to be decommissioned, but all have State lead. Ms. Gonzales will update Table S-1 to incorporate minor changes, and will email the updated table to the meeting participants. The DIII-D fusion experiment facility is not regulated by CDHS; this will be documented in GA's renewed state license.

GA is not seeking termination of its CDHS license. It is their intention to reduce the scope of licensed activities. However, planned operations will require a CDHS license for the foreseeable future.

Dr. Spitzberg provided Edgar Bailey (CDHS) with a letter from Gary Janosko (NRC), dated December 22, 2004 (ADAMS accession number ML043570294), regarding NRC's technical evaluation of a Memorandum of Understanding between the NRC and the U. S. Environmental Protection Agency concerning consultation and finality on decommissioning and decontamination of contaminated sites (67 FR 65375) as applied to the GA site.

The participants then discussed other open items from the June 2004 meeting (see enclosure). Most open items are related to state licensing issues.

Dr. Asmussen also requested that all correspondence to GA be sent to Mr. James Randall Walti, Vice President and General Counsel (P.O. Box 85608, San Diego, CA, 92168-9784). Ms. Adams agreed to change the mailing address. CDHS requested that Dr. Rogus be included in all NRC correspondence concerning GA.

The meeting adjourned, and most participants visited the Building 2 utility corridor, which the NRC Region IV inspectors will survey this week to confirm that it meets the release criteria. The NRC staff also visited the DTSC-permitted area, and the Building 30/31 area, which has a small length of underground sewer line that needs to be excavated, surveyed, and released from the licenses. Dr. Bartlett stayed at the site to assist in the Building 2 confirmatory inspection.

Docket 70-734

Attachments:

1. List of meeting attendees
2. Meeting notice with agenda
3. List of action items from June 2004 meeting

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DISTRIBUTION:

FCFB r/f Attendees

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OFC	FCFB		FCFB		FCFB		FCFB	
NAME	MAdams		MBartlett		VCheney		JOlivier	
DATE	09/08/05		09/08/05		09/09/05		09/09/05	

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
HEADQUARTERS

MEETING ATTENDANCE FORM

SUBJECT: SUMMARY OF MEETING BETWEEN GENERAL ATOMICS AND THE
CALIFORNIA DEPARTMENT OF HEALTH SERVICES, RADIOLOGIC
HEALTH BRANCH, AUGUST 30, 2005

Date: 8/29/05 Location: GA San Diego, CA

PLEASE PRINT ALL INFORMATION LEGIBLY

NAME	OFFICE	PHONE NUMBER
Keith E. Asmussen	General Atomics Director LSNC	858-455-2823
Laura Q. Gonzales	General Atomics	858-455-2758
William T. LaBonte	General Atomics Health Physics Sup.	858-455-2959
John Fassell	CA. DHS/RHB	916-440-7923
Barbara Hamrick	CA. DHS/RHB	714-257-2031
Sudana Kwok	CA. DHS/RHB	916-440-7948
Ron Rogus	CA. DHS/RHB	916-440-7971
Jeffrey Wong	CA. DHS/RHB	510-620-3423
Mary Adams	NMSS/FCSS	301-415-7249
Matt Bartlett	NMSS/FCSS	301-415-5754
Robert Evans	RIV	817-860-8234
Beth Schlapper	RIV	817-860-8169
Blair Spitzberg	RIV	817-860-8191