

**Action Items from June 15, 2004 Joint State of CA/NRC/GA D&D Status Meeting**

Action Items

2004- 1 GA will amend or supplement the letter sent to the NRC and State dated March 11, 2004, requesting that the lead agency for the NWPf facility (Building 25 Site and Building 41 and surrounding area) be the NRC and not the State by providing additional information on the use of the facility for processing waste containing SNM.

**Status: Closed** March 11, 2004 request to transfer the lead from the State to the NRC (letter 696/CAL-3709) was followed by the March 28, 2005 request (letter 696/CAL-3855) which added more detailed information on the use of SNM at each of the NWPf areas. The State approved the transfer of the lead agency from the State to the NRC per letter dated May 18, 2005 signed by Ms. Sudana Kwok to Dr. Keith E. Asmussen. The NRC approved the transfer of the lead agency from the State to the NRC per letter dated July 19, 2005, signed by Mr. Merrit N. Baker to Dr. Keith E. Asmussen.

2004-2 GA will amend or supplement their letter dated October 9, 2003 to the State regarding the TRIGA Reactor Site (Building 21 and surrounding area). The letter needs to be modified (to clarify/define which portion(s) is NRC jurisdiction only and what remains under State jurisdiction; such as outside storage areas (if any) and room 102 (tritium diffusion lab). Send draft letter to Barbara Hamrick first.

**Status: Open** GA has not prepared the drawings/letter for State and NRC review and approval.

2004-3 GA to review the NRC/EPA MOU and GA's NRC- and State- approved Site Decommissioning Plan (i.e., D-Plan) to see if the D-Plan concentration values should be decreased to MOU values.

**Status: Open** GA has reviewed the MOU table values to see if the D-Plan concentrations values should be decreased to MOU values.

The approved D-Plan soil release criteria and the MOU Table 1 limits for the predominant radionuclides found in GA soil are as follows:

<u>Radionuclide</u>	<u>Concentration (pCi/g) Approved Site D-Plan</u>	<u>Concentration (pCi/g) Industrial/Commercial MOU Triggers</u>
Cs-137	15	5
Co-60	8	5
Cs-134	10	26
Sr-90	1800	1070

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<u>Radionuclide</u>	<u>Concentration (pCi/g) Approved Site D-Plan</u>	<u>Concentration (pCi/g) Industrial/Commercial MOU Triggers</u>
Th-232	5*	5
Th-228+D	5*	25
U-234	**	3,310
U-235+D	**	39

- \* GA's Site D-Plan includes Th-228 and Th-232 at a level 10 pCi/g or less (excluding background).
- \*\* GA's Site D-Plan includes soil criteria for enriched uranium at 30 pCi/g (this is the total of the U-235 concentration and the U-234 concentration).

Evaluation: The thorium and uranium limits are higher in the MOU. However, GA does not see a need to revise it's Site D-Plan for the following reasons:

- (1) The Cs-137, Co-60, Cs-134 and Sr-90 limits are higher in GA's NRC- and State-approved Site D-Plan than in the MOU but not significantly (see above).
- (2) When GA decommissions a facility and/or land area, GA decontaminates the area to values which are below the release criteria and which are as low as reasonably achievable. For example, during the decontamination of the Nuclear Waste Processing Facility and surrounding area, GA decontaminated the soil to levels far below the approved soil release criteria and far below the MOU triggers.
- (3) Additionally, GA has already decommissioned most of its facilities and/or land areas. In fact, the only remaining known area of potential soil contamination remaining is at GA's TRIGA Reactor Site - which is predominantly under NRC jurisdiction.

2004-4 The State will provide GA with an interpretation of the Th-232 and Th-228 and daughter values in the NRC/EPA MOU.

Status: Closed The State provided GA information regarding the daughter values in the NRC/EPA MOU by e-mail on July 9, 2004.

2004-5 NRC/EPA MOU - NRC will review actions that may be needed to meet the NRC/EPA MOU, regarding the GA site.

**Action Items from June 15, 2004 Joint State of CA/NRC/GA D&D Status Meeting**

**Status: Open**

2004-6 The State needs GA to submit a license renewal package. It may be possible for GA to submit a license renewal package that would cover all remaining ongoing activities/operations involving radioactive material, except decommissioning. The State will look into whether this can be done.

**Status: Open** The State has decided that GA could submit a license renewal package to cover only remaining ongoing activities/operations and not include decommissioning which is covered under GA's NRC- and State- approved Site Decommissioning Plan. The State also decided that DIII-D should not be included in the State license (it is deemed a DOE facility). GA has not yet submitted the license renewal package.

2004-7 GA will confer with DOE, and determine whether the DIII-D Fusion Facility/Operations is a DOE contract activity and therefore exempt from State regulatory control. This matter will be clarified in the license renewal package GA submits to the State.

**Status: Closed** The State has determined that DIII-D activities should not be included in GA's State of CA Radioactive Materials License.

2004- 8 Soil Pile from the S-18 to S-15 to S-13 trench currently stored in a locked, controlled area on the main site represents what did not go back into the hole. It was suggested by the State that GA collect soil samples from this pile and after the results are obtained, review the options. Open (from the 2003 meeting).

**Status: Open** An e-mail was sent to Ms. Sudana Kwok on June 29, 2004 advising her of GA's plans to place the soil in one of the pits in the EA-1 Bunker Land Area which need to be filled due to safety concerns. The EA-1 Bunker Land Area has been released by the NRC (but not the State). This way the soil will remain on GA's site. GA requested the State (Ms. Kwok ) to know within 30 days if the State has a problem with this. Sudana Kwok responded by e-mail asking for time to review this.

**Update August 22, 2005:** GA is considering re-sampling the pile of soil by leveling it to about 3 feet high and collecting 30 representative soil samples. If the gamma spectroscopy results come out "background", GA will request that the soil be released to unrestricted use by the State (including the removal of the soil to Miramar). If the results are above "background" but less than the soil release criteria, GA will request the State approve it's earlier plan to place the soil into the EA-1 bunker pit(s). This plan was discussed with John Fassell from the State in early August 2005.