

**From:** Giorgio Gnugnoli  
**To:** Huffert, Anthony > NMSS/DWMEP  
**Date:** 3/9/01 4:21PM  
**Subject:** NAS/Casework Information

I added what I could dredge up; hope it helps.

**CC:** Moore, Scott

B/42

**Decommissioning Case work support for G. Gnugnoli**

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Intro.

**Extent of effort - support to Big Rock Point, NIH, NFS requests (relating to disposal of volumetric material)****Acting PM for R. Neel on University of Missouri Request (Request from RIII) for release of incinerator ash to landfill under NRC P&GD provisions****Total time is less than 0.1 FTE; unless we count MSC (which I would say added 1.6 staff months; this would change my estimate to .23 FTE)**

Specific Request for Regional Input

a) How many cases were reviewed each year, on average, for the past 5 years?

**2-3 cases for my review annually (based on less than 5 years)**

b) How many total staff-years of dedicated time (in FTE) were spent on reviews of cases over the past 5 years (i.e., not spent on decommissioning in general but on the implementation of the current practice for control of solid material)?

**Based on current situation, less than 0.1 FTE per year (if MSC is counted, about than 0.23FET)**

c) What duration of time does it take to review a case (e.g., how many cases take a month of elapsed time, how many take a year)?

**No case took more than 2 months (except MSC) in terms of calendar time; actual time actually on the case has not exceeded 0.3 staff months. (MSC ~ 1.6 staff months)**

d) What factors account for the time spent on a case (research, meetings, documentation, timeliness of licensee response, etc)? What are the major time consumers?

**Most of the time is in coordination with OGC, regional staff, briefing managers.**

e) Is the time it takes to resolve a case dependent on the caseload? (If you had more staff, would the perceived turn around time problem be ameliorated or resolved?)

**Yes; but only from the point of view that the legal staff and managers are hard to get access to because of others' demand on their time.**

f) Using specific illustrative examples, outline the disadvantages and advantages of the case-by-case approach? What are the real issues and problems (consistency/inconsistency, public perception, time, cost) associated with this approach?

**In an example for the incinerator ash request, the type of site specific considerations forces use of the modeling tools to determine whether a proposed**

action is still within the regulatory flexibility offered by the regulations (e.g., to use subpart K rather than subpart E). Default parameters for licensing decision tools (e.g., DandD) have to be carefully reconsidered to allow for consistency with other site specific decisions. For example, how low should we go with the resuspension factor? This is equivalent to a policy decision and takes a great deal of time to ensure agreement with OGC, NMSS, and the Regions. As the SDMP list becomes smaller (one hopes) some of the site-specific Action Plan criteria become less of a problem in justifying for current D&D decisions. These case-specific decisions always present the specter of future public inquiry and conflicting decision factors. In terms of cost, we are really doing site-specific rulesetting, when we go case-specific. It is inefficient and presents liabilities that do not always warrant the quick, short-term fixes.

g) Cite all known cases in the last 5 years when the system has failed. For example, offsite releases of solid material that were problematic from both policy and technical perspectives because of lack of a national clearance standard or a failure to conduct an adequate survey prior to release. Why have these failures occurred. This could include inconsistency in release levels and nonuniform levels of protection, improper guidelines, improper implementation of the guidelines, etc.

**Clearly Big Rock Point, UCAR, Seneca Army depot, NFS, NIH, and MSC are all examples of where the current system has failed in terms of not having a well-established regulatory system for making clearance or other decision making. Certainly, the existence of a national standard would improve this process significantly. However, a set standard does not guarantee complete success. Haddam Neck would have happened, regardless of the clearance dose or concentration levels; unless total prohibition had been invoked.**

h) What are the complexities of the existing case-by-case approach to clearance and what makes a licensee's request complex or problematic. Can you give examples of simple and complex cases?

**There are no simple cases involving clearance. The problem is that no additional dose is acceptable. The public's fear of uncontrolled releases of radioactive metals and materials into children's braces, despite 1000x's higher exposure from the diagnostic x-rays needed for the appliance application underscores the non-technical, phobia ridden situation.**

Additional question from HQ staff (may be supplied at a later date)

Consistent with the Commission's directive to continue studying technical information, the HQ staff is currently estimating inventories of solid material that could be released from licensed facilities. To help us in this effort, it is requested that you provide information, where available, on volumes and curies of material released for the cases noted above.

**University of Missouri requested that the disposal of incinerator ash with H-3 and C-14 contamination, as ordinary trash incinerator ash, at a rate of approximately 15,000 pounds per year.**

March 9, 2001