

**From:** Thomas McLaughlin — NMSS/bwmcp  
**To:** Anthony Huffert — " "  
**Date:** 11/16/01 9:14AM  
**Subject:** Clearance Working Group letter

Tony:

Thanks for your comments. I have added a couple of sentences about the licensee filing for a 20.2002. Please check to see if I have captured what we discussed this morning. Also, what is the next step? Should I send the letter to the WG members or to you for concurrence? Then do I construct a response to send to the licensee?

Thanks for your help.

Tom

**CC:** Claudia Craig

B/45

TO: Clearance Working Group

FROM: Tom McLaughlin

SUBJECT: REQUEST FROM MOLYCORP, INC. FOR A LICENSE AMENDMENT TO APPLY VOLUMETRIC UNRESTRICTED USE CRITERIA FOR CONCRETE DEBRIS

Molycorp, Inc. has submitted a request for a license amendment to release for unrestricted use about 1,000 tons of concrete with volumetric contamination to a PA landfill. The concrete does not meet the criteria for surface contamination in Reg Guide 1.86. Molycorp contends that if the concrete was rubblized it would meet the free release criteria for soil through volume averaging. In a previous case (Cimarron Corporation), that was decommissioned under the SDMP Action Plan criteria, the application of a unrestricted use criteria for concrete debris with volumetric contamination was approved by NRC—this material remained onsite until license termination. Molycorp's request was denied during an acceptance review because it did not submit any supporting data. Molycorp has subsequently asked what data should be provided.

During our meeting of November 14, 2001, to discuss what data would be needed from Molycorp to initiate a technical review, the Clearance Working Group (CWG) requested that the York facility licensing information be reviewed to determine if NRC had previously approved this type of off-site disposal in a local landfill. License Amendment No. 9 (which authorizes the licensee to decommission the York, PA site) contains the wording "Molycorp should identify the building materials that exceed the NRC guidelines for unrestricted use and plan for storage or disposal of all such material in an NRC-approved facility. The Environmental Assessment (EA) prepared by NRC staff in conjunction with License Amendment No. 9 states "The license authorizes . . . transfer of products and waste to authorized recipients." Molycorp's original plan was to ship all soil and building material that did not meet the free release criteria from the decommissioning activities at York to its site at Washington, PA for storage then disposal in an onsite engineered cell. Molycorp withdrew its request for construction of an onsite disposal cell at its Washington facility in January 2001. It appears that the language in the license revolves around the possibility of disposal of waste in the engineered cell (or a NRC licensed facility such as Envirocare) and does not discuss applying volumetric averaging to concrete debris for disposal in a PA landfill. The EA does contain a dose assessment for workers and members of the public from transportation of low-level waste from the York site which may be of interest to the CWG.

One of the options proposed by the CWG during our meeting was to have the licensee do a dose assessment for exposure to transportation workers, landfill workers, and the public. The licensee would file for a license amendment under § 20.2002 to obtain approval of its proposed disposal if the data provided meet the criteria established by the CWG.