

1. Name: Allied Technology Group/State of Washington.

Clearance request: Radioactive waste import application.

Date of Steering Group meeting: October 31, 2001.

Description: ATG requested authority to import up to 3,000 tons of scrap metal contaminated with up to 160 mCi of byproduct material for decontamination, recycle and disposal under a NRC specific license and the requirements of 10 CFR Part 110 to import radioactive waste. One propose disposition method was to recycle metal into commerce in accordance with applicable clearance criteria specified in their State license.

Decision: It was agreed that a draft Request for Additional Information should be provided to the State of Washington and State of Tennessee for review and comment prior to submitting the RAIs to ATG for response. The draft RAI would be sent to ATG upon completion of the coordination with the States in order to ensure compliance with the respective State regulations, policies, and specific conditions of ATG's State licenses.

2. Name: BWXT/State of Pennsylvania.

Clearance request: Proposal to release soils offsite.

Date of Steering Group meetings: March 1 and April 19, 2001.

Description: BWXT requested to release soil to an offsite landfill during decommissioning. The decommissioning plan was approved in 1998, but did not explicitly approve offsite soil releases. The staff reviewed the acceptability of disposal of the soil at t a local landfill.

Decision: Based on OGC's review of the BWXT decommissioning plan and related licensing documents, there did not appear to be a previous NRC approval for the release of soils offsite. Therefore, if BWXT plans to send soils offsite to a landfill, a §20.2002 request for disposal should be submitted to NRC for approval. For additional information on the decision, see information on "prospective cases" contained in the July 21, 2001 Cool memo and OSTP letter dated November 28, 2001 (STP-01-081).

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3. Name: General Atomics/State of California.

Clearance request: Continuation of soil and concrete releases offsite.

Date of Steering Group meetings: March 1 and April 19, 2001.

Description: General Atomics has released concrete and soils to a local landfill for a number of years. A decommissioning plan was approved in 1998. Soils above radiological criteria referenced in the license go to a LLW disposal facility after a confirmatory survey is conducted and the release is approved by the NRC. Soils below the criteria have been allowed to go to a local landfill without a specific dose assessment being performed by the NRC staff or licensee. .

Decision: The results of OGC's review indicates that NRC has specifically approved in the decommissioning plan the release of soils to offsite locations and that NRC has in the past, and will likely continue in the future, to approve each release by a letter from FCSS/NMSS to General Atomics. OGC noted, however, that several past approval letters cited 10 CFR 20 Subpart K as the regulatory provision for authorization of the offsite release and that not all past approval letters specified the location where the soils would be emplaced. In support of this review, the WG conducted a screening assessment of General Atomic's past soil releases and determined that doses to a member of the public should be below 100 mrem per year, provided that the soil was disposed in a large industrial landfill, as indicated by the FCSS Project Manager for the General Atomics site.

Based on this information, the SG approved the continuation of the General Atomics release of soils offsite, but offered the following additional recommendations: (a) future approval letter should cite the section of the decommissioning plan where NRC approved offsite soil release and (b) future approval letters should state the location where the soils shall be emplaced offsite (the industrial landfill). For additional information on the decision, see information on "retrospective cases" contained in the July 21, 2001 Cool memo and OSTP letter dated November 28, 2001 (STP-01-081).

4. Name: Mallinckrodt/State of Missouri.

Clearance request: review of decommissioning plan involving clearance

Date of Steering Group meeting: October 31, 2001.

Description: The licensee proposed to survey concrete building structures using guidance contained in FC 83-23 and, following surveys of surficial radioactivity on the structures to verify compliance with FC 83-23 guidelines, the structures will be demolished and then released for unrestricted use. FC83-23 was incorporated into Mallinckrodt's operations license and has been approved for use during the decommissioning phase of their license. Other materials that may be candidate for unrestricted use are metals, laboratory equipment, furniture, etc. All solid materials with residual radioactivity are either (a) transferred to Envirocare of Utah if the radioactivity concentration is above the limits of 10 CFR 40.13 or (b) transferred to Waste Control Specialists if the radioactivity concentration is below the limits of 10 CFR 40.13. No solid materials with residual levels of surficial or volumetric are released for unrestricted use to a local landfill because that practice is prohibited by State law.

Decision: The SG considered the approach of applying FC 83-23 to release relatively large amounts of building rubble and other material and equipment consistent with current practice guidance contained in the 8/7/00 memo from Kane/Collins and 7/27/01 memo from Don Cool concerning current practice for clearance.

5. Name: Molycorp/State of Pennsylvania.

Clearance request: review of proposed offsite disposal of building rubble

Date of Working Group meeting: November 14, 2001.

Description: Molycorp submitted a request for a license amendment to release for unrestricted use of 1,000 tons of concrete with volumetric contamination to a PA landfill. The concrete is located onsite in large piles and does not meet the criteria for surface contamination in Reg Guide 1.86. However, if the concrete was turned into rubble 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, but this material remained onsite until license termination (it was not "cleared" from the site before the license was terminated).

Decision:

- a. The licensee should file for a license amendment under § 20.2002 to obtain approval of its proposed offsite disposal and should include a dose assessment for exposure to transportation workers, landfill workers, and the public.
- b. If the licensee proposes to keep the concrete on site, the Working Group would not be involved in the review since it would be viewed as a decommissioning issue rather than a clearance issue.
- c. Regarding the use of 10 CFR 40.13(a), to date the Commission has chosen to address the transfer of unimportant quantities of source material from facilities as a separate matter from clearance. If this approach is pursued, NMSS has not yet encountered a case where a licensee has shipped material to a landfill under this provision - such shipments have gone to WCS so far. If Molycorp continues to pursue this approach, it will probably be necessary to meet with the Steering Group.

6. Name: State of Texas baghouse dust regulation.

Clearance request: review proposed Texas regulations

Date of Steering Group meeting: April 30, 2002.

Description: In 1997, NRC developed a BTP for baghouse dust containing Cs-137. Texas DOH previously issued a regulation with criteria for Cs-137 based on the BTP and recently amended that rule to add Am-241. The amendment matter raised some policy questions because the action could be viewed as having clearance implications. The potential policy issue concerns the development of a State regulation that appeared to set a new release criterion for solid material. Although States can develop their own regulations independently of NRC, a concern was that the development of a new regulation by TX DOH may not comport with the NRC's approach of maintaining the status quo until additional direction is received from the Commission or other senior NRC management on the control of solid materials. Although NRC staff reviewed the Texas proposed regulation and indicated that it seemed adequate from a health and safety standpoint, there were concerns that there might be clearance issues. In the future, other States may seek to develop guidelines or criteria or conduct case-specific actions on matters related to clearance. The matter to be considered is what should be NRC role in reacting to such State actions on matters that may have both safety and policy implications related to NRC's current efforts on clearance?

Decision: It was agreed that the regulation did not establish a new "clearance" criterion for solid material because the material would be under regulatory control during processing at the facility, transportation, and final disposal at a regulated landfill. Such regulatory provisions are considered "authorized use" rather than "clearance" since the latter term means the total cessation of radiological control. A specific recommendation of the SG was that OSTP not issue a letter to TX DOH at this time because the opportunity for NRC feedback on this regulations had passed.

7. Core Labs - clearance of frac sands at offsite EPA Class 2 disposal well (ongoing)

8. International Uranium Corp.(White Mesa) - contamination of vanadium processing stream with uranium at U-mill (ongoing)

9. Nuclear Fuel Services - offsite contamination of paper discovered at local landfill. Surficial vs volumetric contamination of paper/appropriate release limits (ongoing)

10. Kerr-McGee Cushing - concrete rubble release (ongoing)

11. U.S. Army Corps of Engineers - "transfer" vs offsite release of archived soil samples after license termination (ongoing) → lab is labwaste, materials site - radwaste.

12. Framatome cladding export license - stainless steel and other metals may require licensing for processing at offsite location (ongoing) → FORWARDED TO JUNE 9

13. CE-Windsor - concrete buildings demolished and dispositioned before vs after license termination (subject of 12/27/02 Cool memo)

*Classic Justice*

*APR 25*

*Done  
Pace  
Baker*

14. Whittaker site inquiry re: use of slags as local roadbeds (ongoing) →

Shieldbottom  
Newfield allow  
some 3/4 for  
roadbed

15. RII watch manufacturers -appropriate tritium release limits for laboratory benches/tables that are mobile. Note relationship to RI TAR regarding laboratory releases from DuPont et al (ongoing)

BASED EASILY REMOVABLE WITH HAND TOOLS

16. Fansteel - CaF sludges

Personnel →

17. Hematite - concrete rubble releases

18. Kirtland Air Force Base - proposed soil shipment; closed I hope →

19. Nellis Air Force Base - tank clean-up with DU contamination for release to scrap metal processors via RG 1.86

20. RII TAR expected

66+  
changed  
point

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