



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

February 23, 2006

Barry D. Snyder
Field Chemist/Chemical Operations Manager
A2Z Environmental Group, LLC
311 South Haven Street
Baltimore, MD 21224

SUBJECT: CONTAINER OF WASTE FROM THE CONSTELLATION-BRANDON SHORES
GENERATING STATION IN CURTIS BAY, MARYLAND

Dear Mr. Snyder:

By letter dated February 10, 2006, you requested written confirmation from NRC that a 30 cubic yard roll-off container of solid waste from the Constellation-Brandon Shores Generating Station in Curtis Bay, Maryland did not contain regulated nuclear waste. Your letter indicated that the Commonwealth of Pennsylvania's Department of Environmental Protection required the written confirmation before they would accept the waste for disposal at the Modern Landfill in York, Pennsylvania. Your letter noted that the roll-off container contained metal pipes, angle iron, aluminum cans, metal grindings, trash, debris and furnace bottom coal dust/fly ash sludge from an outage clean-up operation at the plant. Your letter enclosed a report, prepared by RSO, Inc., for a gamma spectrum analysis they performed on a "soil sample" obtained from the roll-off container. The report indicated that the gamma spectrum analysis identified only the progeny of uranium and thorium in concentrations consistent with those naturally found in soil and building materials.

While NRC has not examined this waste, based on the information provided in your letter and the knowledge that the Constellation-Brandon Shores Generating Station is a coal-burning plant, it is likely that the uranium and thorium progeny identified in the waste sample came from the burning of coal and, if this is true, the materials are not regulated by NRC; however, the material may be regulated as naturally-occurring radioactive material (NORM) by the Commonwealth of Pennsylvania. You should contact the Pennsylvania Department of Environmental Protection's Bureau of Radiation Protection for assistance in this matter. The telephone number is (717)787-2480.

Thank you for your cooperation.

Sincerely,

Original signed by James P. Dwyer
James P. Dwyer, Chief
Commercial and R&D Branch
Division of Nuclear Materials Safety

cc:
State of Maryland
Commonwealth of Pennsylvania

DOCUMENT NAME: E:\Filenet\ML060540315.wpd

SISP Review Complete: JDwyer

After declaring this document "An Official Agency Record" it will be released to the Public.

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

OFFICE	DNMS/RI	<input checked="" type="checkbox"/> N	DNMS/RI	<input type="checkbox"/>	DNMS/RI	<input type="checkbox"/>		
NAME	JDwyer/JPD							
DATE	02/23/06							

OFFICIAL RECORD COPY