



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

November 16, 1999

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MEMORANDUM TO: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield

FROM: Dennis K. Rathbun, Director
Office of Congressional Affairs *DR*

SUBJECT: METAL RECYCLING AT BNFL, INC.

In finalizing the interim response to the questions asked by Representatives John Dingell, Ron Klink and Edward Markey about the recycle of metals from the Department of Energy's Oak Ridge facility, there seemed to be some confusion about what metals were being decontaminated and released and the timing of the releases. BNFL has provided us with the attached fact sheet regarding the disposition of the Oak Ridge material by Material Sciences Corporation (MSC).

cc: EDO
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OGC (Cyr)
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Attachment:
BNFL Fact Sheet

Contact: Tom Combs, 415-1776

6/14

Metals Recycling at BNFL Inc. Three Building D&D Project

- BNFL Inc. has recovered approximately five million pounds of metal from its D&D Project. The current status and disposition of these metals is detailed below:

<u>Quantity (lbs.)</u>	<u>Disposition</u>
1.8 million	Surveyed, cleared for unrestricted release, and sold for reuse from the site.
1.2 million	Currently on site. Surveyed, cleared for unrestricted release, and waiting to be sold.
1.2 million	Sent to and processed by MSC. Surveyed, cleared for unrestricted release, and sold for reuse from the site.
.790 million	Currently with MSC for processing and surveying.
<u>.01 million</u>	Sent to the Department of Energy for disposal.
5.0 million (lbs.)	

- The metals detailed above, as is the case with over 95% of the metals to be recycled out of the project, were previously only surface-contaminated before decontamination. Previously surface-contaminated metals have been safely recycled into the American economy for many years. Likewise, Federal standards for release of previously surface-decontaminated metals have been in effect for over two decades.
- Cleaned metals, before they are released, must satisfy the Nuclear Regulatory Commission Regulatory Guide (NRC) 1.86, which specifies activity levels which pose no risk to the public. In addition to the NRC guidelines, DOE requirements, as specified in DOE Order 5400.5, which establishes the limits under which material can be released from DOE facilities, must also be met. Finally, the contract mandates "multiple independent verification teams" to assure compliance with these requirements.
- The recycling of metals that were previously volumetrically-contaminated, as is the nickel, which makes up just 5% of the metals, has been determined to be safe by the Tennessee Department of Environment and Conservation, which derives its authority as a Nuclear Regulatory Commission (NRC) license state with standards consistent with those established by the NRC.
- The U.S. Congress has granted the NRC authority to establish "Agreement States," which are states in which the NRC has reviewed and approved their regulatory policies and procedures and delegated authority to them to act for the NRC. Tennessee is one of over 30 of these states.
- Specifically, the requirements they have created for the recycling of metal previously volumetrically contaminated is carefully designed to insure that the release of such metals is as safe or safer than the long-proven standards for release of surface-contaminated metals.
- Using an example consistently used by opponents of recycling, if one were to make a child's orthodontic braces from the cleaned nickel recycled from the plant, which has met Tennessee's requirement, the exposure that child would receive would be 13,000 time less than what they would receive from the x-rays required to prepare the braces.
- Two expert and independent reports -- one by the National Academy of Sciences and the other by Lockheed Martin Environmental Services under contract with the DOE -- concluded that recycling was more protective of the environment than other disposal methods, including burial in low-level radioactive waste sites.