

40-8964

From: Paul Michalak
To: John McCarthy
Date: 11/06/2006 10:25:10 AM
Subject: FYI: Draft license condition language

John,

Here's the draft language for the baseline radiological characteristics license condition (LC):

Before engaging in any uranium recovery operations in an undeveloped area, the licensee shall submit a complete evaluation of the area's baseline radiological characteristics for NRC review and approval.

Understand that for areas where pre-existing data is available and has previously been submitted (e.g., air), you need only reference the relevant material. In areas where there has been no soil work (gamma survey or soil sampling), then it will require some characterization. As we discussed on last week's call, if you feel a less dense grid or fewer sampling points is warranted in an area based on characterization results in surrounding areas, then you will need you to lay out the logic/reasoning behind your program design. Basically, what we're looking for is sufficient information for decommissioning.

I feel we have a couple of bases for this LC. 10 CFR 51.45 (b) and (1) requires a description of the affected environment to assess any potential impacts from subsequent operations. Additionally, 10 CFR 40 Appendix A, Criterion 7 requires "complete baseline data on a milling site and its environs." Finally, NUREG-1569 (page 2-32) acceptance criteria states that characterization of site background radiological characteristics should include monitoring programs to establish background radiological characteristics including sampling frequency, sampling methods, and sampling location and density. In particular NUREG-1569 indicates that soil sampling should be conducted at both 5-cm [2-inch] and 15-cm [6-inch] depths for background decommissioning data.

Give me a call and let me know what you think.

Paul Michalak

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