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ENVIRONMENTAL

Fax Transmission

To: David R. Smith **Date:** July 27, 1998
Fax #: (609) 67-9025 **Pages:** 3, including cover
From: Carol D. Berger
Subject: Information for USNRC Inspection Inquiries

COMMENTS:

Decommission Plans for the Cave and a Portion of "A" Warehouse

As follow-up to our call of earlier today, attached is 10 CFR 40.42(d)(4) that pertains to timeliness of decommissioning. As I interpret the regulation, decommissioning actions (i.e., either notify the USNRC that a site can be released for unrestricted use or file a decommissioning plan) are not necessary for the materials storage cave or that portion of "A" warehouse that is currently not being sued for licensed radioactive material storage. The cave is still used for radioactive materials storage (i.e., storage of pyrochlore aliquots), and "A" warehouse is used for staging of radioactive materials shipments, including CANAL and CANAL-Lite shipment.

Notification of Metallurg Purchase

Shieldalloy Metallurgical Corporation (SMC) is a separate corporate entity with financial, administrative and legal responsibility for the safe use of radioactive materials pursuant to License No.'s SMB-743 and SMB-1502. The recent purchase of Metallurg by another company did not impact SMC's financial, legal or administrative responsibility in this regard. While information about the purchase may be of interest to the USNRC, I do not believe pre-notification to the USNRC is necessary since there was no corporate re-structuring of the entity responsible for the licenses. However, the USNRC inspectors may be able to cite an administrative or other regulation that I have been unable to identify that requires such notification. If so, SMC can prepare and submit the necessary notifications right away.

If, on the other hand, SMC's decommissioning funding is being assured by Metallurg rather than SMC, then the USNRC will need some additional reassurance that the funding will remain in place in spite of the Metallurg purchase. You should check your line of credit, bond, insurance policy, self-guarantee or whatever financial instrument you are using to guarantee decommissioning funds, just to be sure the purchase has no heretofore unsuspected ramifications.

Radiation Safety Training Required for Demolition Workers

The demolition workers in question will be performing work in D-102 for less than 20 calendar days, with a total work duration in the building itself of less than 90 hours. The only exposure pathway of significance in this area is direct exposure from residual ferrocolumbium slag, with the maximum measured exposure rate being 900 μ R/hr at the northeast corner of the building where residual

material from a former CANAL stockpile is located.¹ Therefore, the maximum possible exposure potential for the demolition workers, assuming a hypothetical worker remains at the point of maximum measured exposure rate for the entire work duration of 90 hours, is 81 millirem.

Pursuant to RSP-007, "Radiation Protection Training", General Employee Training (GET) is required if an employee, visitor, or contractor has the potential to incur in excess of 100 millirem TEDE in a calendar year. Since the maximum exposure potential for the demolition workers is 81 millirem, only Visitor Training is required for these individuals.

¹ See (draft) Report No. 94005/G-5167, "Report of Radiation Safety Surveillance for Quarter 2, 1998".

\$40.42**10 CFR Ch. I (1-1-98 Edition)**

(ii) Specific licenses whose holders are subject to the financial assurance requirements specified in 10 CFR 40.36, and on February 15, 1996, the holders either:

(A) Have not submitted a decommissioning funding plan nor certification of financial assurance for decommissioning; or

(B) Have not received written notice that the decommissioning funding plan or certification of financial assurance for decommissioning is acceptable;

(iii) Specific licenses whose holders are listed in the SDMP List published in NUREG 1441, Supplement 1 (November 1995);

(iv) Specific licenses whose issuance, amendment, or renewal, as of February 15, 1996, is not a categorical exclusion under 10 CFR 51.22(c)(14) and, therefore, need an environmental assessment or environmental impact statement pursuant to Subpart A of Part 51 of this chapter;

(v) Specific licenses whose holders have not had at least one NRC inspection of licensed activities before February 15, 1996;

(vi) Specific licenses whose holders, as the result of the most recent NRC inspection of licensed activities conducted before February 15, 1996, have been:

(A) Cited for a Severity Level I, II, or III violation in a Notice of Violation;

(B) Subject to an Order issued by the NRC; or

(C) Subject to a CAI, issued by the NRC.

(vii) Specific licenses with expiration dates before July 1, 1996, for which the holders have submitted applications for renewal under 10 CFR 40.43 of this part.

(b) Each specific license revoked by the Commission expires at the end of the day on the date of the Commission's final determination to revoke the license, or on the expiration date stated in the determination, or as otherwise provided by Commission Order.

(c) Each specific license continues in effect, beyond the expiration date if necessary, with respect to possession of source material until the Commission notifies the licensee in writing that the license is terminated. During this time, the licensee shall—

(1) Limit actions involving source material to those related to decommissioning; and

(2) Continue to control entry to restricted areas until they are suitable for release in accordance with NRC requirements;

(d) Within 90 days of the occurrence of any of the following, consistent with the administrative directions in §40.5, each licensee shall provide notification to the NRC in writing and either begin decommissioning its site, or any separate building or outdoor area that contains residual radioactivity, so that the building or outdoor area is suitable for release in accordance with NRC requirements, or submit within 12 months of notification a decommissioning plan, if required by paragraph (g)(1) of this section, and begin decommissioning upon approval of that plan if—

(1) The license has expired pursuant to paragraph (a) or (b) of this section; or

(2) The licensee has decided to permanently cease principal activities, as defined in this part, at the entire site or in any separate building or outdoor area; or

(3) No principal activities under the license have been conducted for a period of 24 months; or

★ (4) No principal activities have been conducted for a period of 24 months in any separate building or outdoor area that contains residual radioactivity such that the building or outdoor area is unsuitable for release in accordance with NRC requirements.

(e) Coincident with the notification required by paragraph (d) of this section, the licensee shall maintain in effect all decommissioning financial assurances established by the licensee pursuant to §40.36 in conjunction with a license issuance or renewal or as required by this section. The amount of the financial assurance must be increased, or may be decreased, as appropriate, to cover the detailed cost estimate for decommissioning established pursuant to paragraph (g)(4)(v) of this section.

(1) Any licensee who has not provided financial assurance to cover the detailed cost estimate submitted with the decommissioning plan shall do so

VISITOR INFORMATION

In consideration of the agreement by Shieldalloy Metallurgical Corporation to allow me to visit the Newfield Plant and view its premises, I agree that for a period of three years from this date, I will hold any and all information learned from this visit in confidence and that I will not disclose the information to any person other than my employer's employees who have a need to know such information. I understand that I may be responsible for any damages or losses suffered by Shieldalloy Metallurgical Corporation if I violate this confidence. I have been shown an example of a radiation symbol and a radiological caution sign. I will not enter any Restricted Area or any area posted with a radiological warning or caution sign unless an escort has been provided to me. I will contact the Shieldalloy Radiation Safety Officer if I have any questions or concerns about radiological issues.

<u>Date</u>	<u>Arrive</u>	<u>Leave</u>	<u>Signature</u>	<u>Print Name</u>	<u>Company</u>	<u>Contact Person</u>	<u>Hat/ Glasses</u>
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RADIATION SYMBOL AND RADIOLOGICAL CAUTION SIGN

