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UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19406-1415

August 16, 2000

Docket No. 04008980

License No. SMB-1541

John Lord
Site Manager
Heritage Minerals, Inc.
1 Hovchild Plaza
4000 Route 66
Tinton Falls, NJ 07753

SUBJECT: INSPECTION 04008980/2000001, HERITAGE MINERALS, INC.

Dear Mr. Lord:

This letter forwards a copy of NRC Form 591, "Safety Inspection," indicating that no items of non-compliance were found during the above described inspection of your licensed activities. Please retain the form in your files.

No acknowledgment of this letter is required. As we discussed during the inspection, please keep us apprised of the progress made to complete selection of the decommissioning contractor. Should you have any questions, we shall be pleased to discuss them with you.

In accordance with 10 CFR 2.790, a copy of this NRC Form 591 will be placed in the NRC Public Document Room and will be accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html>.

Your cooperation with us is appreciated.

Sincerely,

Original signed by Ronald R. Bellamy

Ronald R. Bellamy, Chief
Decommissioning and Laboratory Branch
Division of Nuclear Materials Safety

Enclosure:
NRC Form 591

B-47

J. Lord
Heritage Minerals, Inc.

DOCUMENT NAME: G:\Docs\Current\Insp Letter\LSMB-1541.2000001.wpd

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NAME	CGordon		RBellamy					
DATE			8/18/00					

OFFICIAL

APPENDIX A
MATERIALS DECOMMISSIONING INSPECTION RECORD
FOR FACILITIES NEEDING SIGNIFICANT DECOMMISSIONING EFFORT
Region I

Licensee (Name & Address):		Inspection Report No. :	00-01
Heritage Minerals, Inc. One Hovchild Plaza 4000 Route 66 Tinton Falls, NJ 07753		License No.:	SMB-1541
		Docket No. :	40-08980
Licensee Contact:	John Lord, Site Manager	Telephone No.:	732/922-6100
Priority:	2	Date of Last Inspection:	1/13/99
Program Code:	11800	Date of This Inspection:	8/8/00
Type of Inspection:	<input checked="" type="checkbox"/> Announced	<input type="checkbox"/> Unannounced	
	<input checked="" type="checkbox"/> Routine	<input type="checkbox"/> Special	
	<input type="checkbox"/> Initial Decommissioning	<input type="checkbox"/> Reinspection of Decommissioning	
Next Inspection:	11/00	<input type="checkbox"/> Normal	<input checked="" type="checkbox"/> Reduced <input type="checkbox"/> Extended

Brief Description of Inspection Activities:

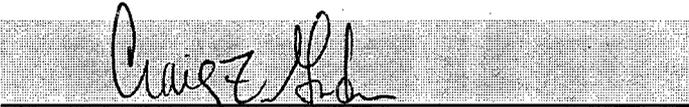
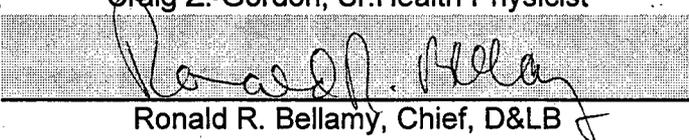
1) observe site areas where materials stored and secured 2) discuss status of contract proposals and schedule to initiate decommissioning activities

Brief Description of Findings and Action:

No active operation. Material stored and secured safely. Review of proposals for decommissioning contract nearly complete and expected to be approved. Cleanup activities authorized to begin upon contract approval.

Summary of Findings and Action:

- No violations cited, clear NRC Form 591 or regional letter issued
- Violation(s), clear NRC Form 591 issued
- Violation(s), regional letter issued
- Followup on previous violations

Inspector:	 Craig Z. Gordon, Sr. Health Physicist	Date:	8/16/00
Approved:	 Ronald R. Bellamy, Chief, D&LB	Date:	8/18/00

[Field notes are to be used by the inspector to assist with the performance of the inspection. Note that all areas indicated in the field notes are not required to be addressed during each inspection. However, for those areas not covered during the inspection, a notation ("Not Reviewed") should be made in each section where applicable. Additionally, all areas covered during the inspection should be documented in sufficient detail to describe what activities and/or records the inspector observed. The fieldnotes to the "Decommissioning Inspection Procedure for Materials Licensees" should be supplemented with: (1) the applicable inspection procedures for operating facilities provided in the Inspection Procedure (IP) 87100 series; and (2) other written documentation of the inspection, as necessary.]

1. SUMMARY OF DECOMMISSIONING STATUS

The checklist below is intended to provide, in a written outline format, summary documentation of the status of the licensee's facility in the decommissioning process. This documentation will be filed as part of the inspection report. The inspector should use this information to develop each inspection plan(s) for the various stages of decommissioning, namely, before dismantlement, during dismantlement and site remediation, and after site remediation.

A. Licensee ceased operational program	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N
B. Required decommissioning financial assurance mechanisms in place.	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N
C. Decommissioning Plan (DP) required.	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N
D. Licensee final survey required.	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N
E. NRC confirmatory survey required.	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N
F. NRC closeout inspection required.	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N
G. Licensee doing decommissioning planning and preparation before dismantlement	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N
H. Licensee actively remediating site.	<input type="checkbox"/>	Y	<input checked="" type="checkbox"/>	N
I. Licensee completed site remediation.	<input type="checkbox"/>	Y	<input checked="" type="checkbox"/>	N

Description of Facility Status:

No changes since last inspection. Site manager (SM) review of contract proposals for decommissioning work almost complete. A recommendation will be made to the site owner (Hovnanian Industries) for final approval. The SM indicated that work was expected to begin soon after contract approval.

2. INSPECTION OF KEY DECOMMISSIONING ACTIVITIES

The following is a generic checklist of major licensee activities occurring at various stages of decommissioning. From this generic checklist and from facility-specific activities you identify, develop the set of licensee activities to be inspected - for each individual inspection throughout the decommissioning process. Plan to inspect licensee activities that present potential high-risk conditions. Then apply the standard health and safety inspection areas in Section 3 of these fieldnotes (taken from the applicable 87100 series IP for the licensee's operational program) to the specific licensee decommissioning activities that are being inspected.

To complete the licensee activities checklist, the inspector will need to obtain information from the Licensing Project Manager, review the DP, make observations at the licensee's facility, review licensee records, take measurements and samples of contaminants, and undertake other investigative measures, to determine whether the licensee is meeting all regulatory and DP commitments for each decommissioning activity the licensee is performing.

- A. LICENSEE ACTIVITIES INSPECTED BEFORE DISMANTLEMENT
- | | | | | |
|---|-------------------------------------|-----|-------------------------------------|-----|
| | <input type="checkbox"/> | N/I | <input type="checkbox"/> | N/A |
| 1. Licensed material used during operations has been removed from site. | <input type="checkbox"/> | Y | <input checked="" type="checkbox"/> | N |
| 2. Facility license conditions are in place and met by licensee. | <input checked="" type="checkbox"/> | Y | <input type="checkbox"/> | N |
| 3. Site security and control of contaminated material being maintained in compliance with 10 CFR 20.1801 and 20.1802. | <input checked="" type="checkbox"/> | Y | <input type="checkbox"/> | N |
| 4. Support systems and services (e.g., lighting, water supply) are in place. | <input checked="" type="checkbox"/> | Y | <input type="checkbox"/> | N |
| 5. Decommissioning schedules are consistent with timeliness requirements in 10 CFR 30.36, 40.42, and 70.38. | <input checked="" type="checkbox"/> | Y | <input type="checkbox"/> | N |
| 6. Licensee's recordkeeping is consistent with 10 CFR 30.35, 40.36, and 70.25. | <input checked="" type="checkbox"/> | Y | <input type="checkbox"/> | N |
| 7. Financial assurance requirements are being maintained in accordance with 10 CFR 30.35, 40.36, and 70.25. | <input checked="" type="checkbox"/> | Y | <input type="checkbox"/> | N |
| 8. Licensee is conducting site characterization in accordance with applicable radiation protection procedures. | <input checked="" type="checkbox"/> | Y | <input type="checkbox"/> | N |
| 9. Construction of new site features (e.g., roads, rail spurs, staging areas, sediment control ponds) conforms to DP and does not compromise health and safety of workers and public. | <input type="checkbox"/> | Y | <input checked="" type="checkbox"/> | N |
| 10. Licensee activities conform to specific license conditions and licensee programs and procedures. | <input type="checkbox"/> | Y | <input type="checkbox"/> | N |
| 11. Other licensee activities(describe below): | | | | |

[Redacted area]

Basis for findings:

There was no operation involving licensed materials. Licensee efforts to begin decommissioning activities have been slow but showed progress. The SM indicated a decommissioning schedule will be developed once the contractor selection and approval are completed. Loading and packaging of material in shipping containers would occur during 4Q CY00, followed by offsite shipment in CY01. Site security and vandalism continue to be a problem but have not impacted the fenced monazite waste pile.

- B. LICENSEE ACTIVITIES INSPECTED DURING DECONTAMINATION, DISMANTLEMENT, AND SITE REMEDIATION
- | | | | | |
|--|--------------------------|-----|-------------------------------------|-----|
| | <input type="checkbox"/> | N/I | <input checked="" type="checkbox"/> | N/A |
|--|--------------------------|-----|-------------------------------------|-----|

- | | | | | | |
|----|--|--------------------------|---|--------------------------|---|
| 1. | Site security and control of contaminated material being maintained in compliance with 10 CFR Part 20. | <input type="checkbox"/> | Y | <input type="checkbox"/> | N |
| 2. | Decontamination and dismantlement of structures are being performed consistent with DP and sound industry practice (structures include buildings, utilities, treatment lagoons, etc.). | <input type="checkbox"/> | Y | <input type="checkbox"/> | N |
| 3. | Decontamination and remediation of the following are being performed consistent with DP and sound industry practice: | <input type="checkbox"/> | Y | <input type="checkbox"/> | N |
| a. | Soil. | <input type="checkbox"/> | Y | <input type="checkbox"/> | N |
| b. | Sediment. | <input type="checkbox"/> | Y | <input type="checkbox"/> | N |
| c. | Surface waters. | <input type="checkbox"/> | Y | <input type="checkbox"/> | N |
| d. | Groundwater. | <input type="checkbox"/> | Y | <input type="checkbox"/> | N |
| e. | Other mediums (describe below): | <input type="checkbox"/> | Y | <input type="checkbox"/> | N |
| | | | | | |
| 4. | Licensee release and disposal of decommissioning wastes are consistent with DP and approved by NRC for: | <input type="checkbox"/> | Y | <input type="checkbox"/> | N |
| a. | Liquid wastes (e.g., groundwater, surface water, liquid from treatment ponds, process liquids). | <input type="checkbox"/> | Y | <input type="checkbox"/> | N |
| b. | Solid wastes (e.g., building materials, process and other facility equipment, concrete rubble, soil). | <input type="checkbox"/> | Y | <input type="checkbox"/> | N |
| c. | Other wastes (describe below): | <input type="checkbox"/> | Y | <input type="checkbox"/> | N |
| | | | | | |
| 5. | Temporary, on-site storage of low-level radioactive wastes from decommissioning meets license conditions and guidance in IP 84890. | <input type="checkbox"/> | Y | <input type="checkbox"/> | N |
| 6. | Packaging and shipment of radioactive waste materials meet requirements in 40 CFR Parts 173-178 and 10 CFR Part 71. | <input type="checkbox"/> | Y | <input type="checkbox"/> | N |
| 7. | Restoration of site-Licensee has restored site to meet license conditions and NRC-approved plans. | <input type="checkbox"/> | Y | <input type="checkbox"/> | N |
| 8. | Licensee survey of material and equipment for free release sufficient to demonstrate compliance with release criteria. | <input type="checkbox"/> | Y | <input type="checkbox"/> | N |
| 9. | Other licensee activities: | <input type="checkbox"/> | Y | <input type="checkbox"/> | N |
| | | | | | |

Basis for Findings:

C. LICENSEE ACTIVITIES INSPECTED AFTER COMPLETION OF SITE REMEDIATION

N/I N/A

- 1. Licensee has submitted NRC Form 314 for disposition of licensed material in accordance with 10 CFR 30.36, 40.42, and 70.38. Y N
- 2. Licensee's final survey program is acceptable (see Appendix B for inspection items for final surveys). Y N
- 3. NRC confirmatory survey performed. Y N
- 4. Site maintenance activities (if any, for restricted use) conform to license conditions and NRC-approved plans and are in place and functional. Y N
- 5. Other licensee activities: Y N

[Redacted]

Basis for Findings:

[Redacted]

3. INSPECTION OF STANDARD HEALTH AND SAFETY AREAS FROM THE OPERATIONAL INSPECTION PROGRAM

Identify the standard inspection areas (from the inspection program of the licensee's operational program) to be covered during each decommissioning inspection. [Inspection areas A through L below correspond to the typical inspection areas in the 87100 series IPs that are applicable to decommissioning.] Then identify the new activities within the standard inspection areas undertaken by the licensee during decommissioning. Some of the new activities given below, as well as any other activities the inspector identifies, should be considered inspection items under the general set of health and safety inspection areas used in the applicable 87100 series IP.

Minimum inspection areas for the initial decommissioning inspection: decommissioning organization (A.1); decommissioning activities in compliance with NRC-approved DP (A.2); licensee procedures for implementing the DP (A.3); Radiation Safety Committee (RSC) and Radiation Safety Officer (RSO) responsibilities (A.4); and the licensee's decommissioning training program (E.1).

A. GENERAL OVERVIEW

- 1. Describe the licensee's decommissioning organizational structure:

[Redacted]

- 2. Licensee is performing decommissioning activities in compliance with its approved DP. Y N

Licensee has implemented procedures for the decommissioning activities identified in the DP.

Y N

The RSC and RSO fulfill license requirements to deal with all decommissioning activities.

Y N

Basis for Findings:

[Redacted]

B. FACILITIES

1. Describe, from field observation, the licensee-identified facilities and outdoor areas to be decommissioned:

[Redacted]

2. The licensee's remediation plan includes all the contaminated facilities and areas on-site and off-site

Y N

3. All essential systems and services (e.g., electrical power, water supply, communications systems) are in place and functional for the planned decommissioning activities.

Y N

4. Licensee's emergency plan is in place and operative for the duration of decommissioning.

Y N

5. For complex sites needing site characterization, describe the key site characterization activities to be performed by the licensee to determine the nature and extent of contamination:

[Redacted]

6. Licensee's characterization activities performed in conformance with good industry practice.

Y N

Basis for Findings:

[Redacted]

C. EQUIPMENT AND INSTRUMENTATION

1. Survey instruments are applicable to contaminants of interest.

Y N

2. Use of survey instruments appropriate for site.

Y N

Basis for Findings:

[Redacted]

A. MATERIALS

1. Radioactive materials licensed during operations have been removed offsite; residual quantities conform to license conditions. Y N
2. Security and control of licensed materials, including contaminated areas, is being maintained. Y N

Basis for Findings:

E. TRAINING

1. Licensee has developed training program for new decommissioning activities (e.g., demolition of structures, excavation of soil); program is adequate. Y N
2. Training program being effectively implemented. Y N

Basis for Findings:

F. AREA RADIATION SURVEYS AND CONTAMINATION CONTROL

- Area surveys are being performed in areas being decommissioned. Y N
- Where active remediation (e.g., demolition of structures, excavation of soil) is being performed, radiation levels in unrestricted areas do not exceed 2 mrem in any one hour. Y N

Basis for findings:

G. RADIATION PROTECTION

- The licensee's approved health physics program is being implemented in the field for new decommissioning activities. Y N
- Site security and control of contaminated material are in compliance with 10 CFR 20.1801 and 20.1802. Y N

Basis for findings:

H. RADIOACTIVE WASTE MANAGEMENT/EFFLUENTS/ENVIRONMENTAL MONITORING

- | | | | | | |
|----|---|--------------------------|---|--------------------------|---|
| 1. | Offsite disposal of decommissioning wastes conforms to free release criteria and disposal site requirements. | <input type="checkbox"/> | Y | <input type="checkbox"/> | N |
| 2. | All new effluent releases conform to DP and applicable regulations. | <input type="checkbox"/> | Y | <input type="checkbox"/> | N |
| 3. | The licensee's environmental monitoring program is being implemented in conformance with the DP and all applicable limits are being met. | <input type="checkbox"/> | Y | <input type="checkbox"/> | N |
| 4. | Temporary storage/staging areas for radioactive wastes from building demolition, equipment dismantlement, soil excavation, etc., are adequately posted and protected. | <input type="checkbox"/> | Y | <input type="checkbox"/> | N |

Basis for findings:

I. RECORDKEEPING FOR DECOMMISSIONING

- | | | | | | | | |
|----|---|--------------------------|---|--------------------------|---|--------------------------|---|
| 1. | Copies of the licensee's decommissioning cost estimates and funding methods are on file. | <input type="checkbox"/> | Y | <input type="checkbox"/> | N | <input type="checkbox"/> | N |
| 2. | Licensee has adequate records for decommissioning activities performed (e.g., for decontamination and dismantlement of structures; decontamination and remediation of soil, sediment, surface waters, groundwater; surveys of remediated facilities). | <input type="checkbox"/> | Y | <input type="checkbox"/> | N | <input type="checkbox"/> | N |
| 3. | Licensee's financial assurance conforms with the financial assurance requirements of NRC-approved possession limits and NRC regulations. | <input type="checkbox"/> | Y | <input type="checkbox"/> | N | <input type="checkbox"/> | N |

Basis for Findings:

J. TRANSPORTATION

1. Describe the licensee's program to package and ship decommissioning waste materials:

[Redacted]

2. Licensee's program meets all applicable 10 CFR and 49 CFR requirements for marking labeling, placarding, and shipping paper requirements for radioactive waste shipments. Y N

Basis for Findings:

[Redacted]

K. POSTING AND LABELING

1. All contaminated areas, waste processing areas, and waste handling areas are posted in conformance with regulations. Y N

2. Packaged radioactive waste materials are labeled in accordance with regulations. Y N

Basis for Findings:

[Redacted]

L. OCCUPATIONAL HEALTH AND SAFETY

1. Describe the occupational health and safety observations made at the licensee's facilities:

[Redacted]

2. Licensee and Occupational Safety and Health Administration were informed of occupational health and safety issues observed during the inspection. Y N

Basis for Findings:

[Redacted]

4. VIOLATIONS, NON-CITED VIOLATIONS, FOLLOWUP ITEMS, AND OTHER ISSUES

Briefly state (1) the requirements and (2) how and when the licensee violated the requirement. For non-cited violations, indicate why the violation was not cited. Briefly describe followup items and other issues.

[Redacted]