

November 13, 2008

MEMORANDUM TO: John Kinneman, Director
Division of Nuclear Materials Safety
Region I

FROM: Keith I. McConnell, Deputy Director/**RA**/
Decommissioning and Uranium Recovery
Licensing Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

SUBJECT: RESPONSE TO REGION I TECHNICAL ASSISTANCE
REQUEST REGARDING THE CLOSURE OF THE
CURTIS BAY AND HAMMOND DEPOTS

On September 9, 2008, Region I submitted a Technical Assistance Request (TAR) to the Decommissioning and Uranium Recovery Licensing Directorate (DURLD) regarding the previously released portions of two Defense Logistics Agency (DLA) sites. Specifically, as part of the termination of the DLA's multi-site license, DLA has requested unrestricted release of its Hammond Depot and Curtis Bay Depot sites. These sites have been remediated and Final Status Survey Reports (FSSR) were developed by the Oak Ridge Institute for Science and Education (ORISE) and submitted to demonstrate compliance with the current criteria for unrestricted release in 10CFR20, Subpart E. Both sites had partial site releases many years ago, using release criteria that were in effect at the time, but are different from the current license termination criteria. The previously released areas were not included in the dose assessments in the current FSSRs. Region I requested that DURLD determine if the previously released areas must be included in the dose assessment for the Curtis Bay and Hammond Depot sites.

DURLD has determined that, if the licensee can justify why these previous releases would not be expected to contribute to the dose from the current site, the dose from the previously released portions of the site could be eliminated from the dose estimate. The enclosure provides a discussion of the rationale for our determination.

If you have any questions concerning the response to this TAR, please contact me at 301-415-7295.

Enclosure:
As stated

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DATE	11/4/08	11/13/08

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**RESPONSE TO REGION I TAR REGARDING
THE CURTIS BAY AND HAMMOND DEPOTS**

On September 9, 2008, Region I submitted a Technical Assistance Request (TAR) to the Decommissioning and Uranium Recovery Licensing Directorate (DURLD) regarding the previously released portions of two Defense Logistics Agency (DLA) sites. Specifically, as part of the termination of the DLA's multi-site license, DLA has requested unrestricted release of its Hammond Depot and Curtis Bay Depot sites. These sites have been remediated and Final Status Survey Reports (FSSRs) were performed by Oak Ridge Institute for Science and Education (ORISE) and submitted to demonstrate compliance with the current criteria for unrestricted release in 10 CFR 20, Subpart E. Both sites had previous partial site releases many years ago, using release criteria that are different from the current license termination criteria, as listed below. The areas previously released were not included in the dose assessments in the current FSSRs. On September 18, 2008, the Decommissioning and Uranium Recovery Licensing Directorate (DURLD) staff completed the acceptance review and informed the Region I staff that adequate information has been provided for DURLD to begin our review.

Current NRC decommissioning guidance states "At the time of final license termination, NRC staff should take into consideration any previous partial site releases (PSRs). The entire site (including the previous PSRs) should meet the Subpart E dose limit" (see NUREG-1757, Vol. 2, Rev 1, Section K.1.7, "License Termination: The Effect of Previous Partial Site Releases"). Therefore, areas that were previously released from the DLA license should be considered when estimating the potential doses to the public.

However, at the Curtis Bay and Hammond Depots the current site radiological and/or physical condition may no longer conform to the "as left" condition when the portions of the sites were released. If the licensee can justify why these previous releases would not be expected to contribute to the dose from the current site, the dose from the previously released portions of the site could be eliminated from the dose estimate.

Specifically, the licensee should evaluate the potential contribution, but would not necessarily have to include it in the dose calculation for license termination. By evaluating the residual radioactivity, activities since the PSR and other site-specific factors, the licensee could demonstrate if any residual radioactivity is still present it would not be expected to contribute to the dose to a member of the public from the areas now being considered.

For example, the Curtis Bay Depot licensee could show that the activities that have occurred since the PSR in '97 (e.g. filling holes, regrading and resodding) render the data from the prior FSSR is no longer representative of the site. They could then make the case that the source term from the PSR (assuming that its spread over the entire PSR) would not make a significant contribution to doses calculated for the areas now under consideration.

Enclosure