



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
612 EAST LAMAR BLVD, SUITE 400
ARLINGTON, TEXAS 76011-4125

March 5, 2009

John H. Ellis, President
Sequoyah Fuels Corporation
P.O. Box 610
Gore, Oklahoma 74435

SUBJECT: NRC INSPECTION REPORT 040-08027/09-001

Dear Mr. Ellis:

This refers to the inspection conducted on February 5-6, 2009, at your Sequoyah Fuels Corporation site in Gore, Oklahoma. This inspection was an examination of activities conducted under your license as they relate to safety and compliance with the Commission's rules and regulations and with the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel. The enclosed report presents the scope and results of the inspection. In summary, the inspectors determined that you were conducting decommissioning activities in accordance with license and regulatory requirements.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC's Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction.

Should you have any questions concerning this inspection, please contact Mr. Robert Evans at (817) 860-8234 or the undersigned at (817) 860-8197.

Sincerely,

/RA/

Jack E. Whitten, Chief
Nuclear Materials Safety Branch B

Docket: 040-08027
License: SUB-1010

Enclosure:
NRC Inspection Report 040-08027/09-001

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SUNSI Review Complete: RJE ADAMS: Yes No Initials: RJE
Publicly Available Non-Publicly Available Sensitive Non-Sensitive

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**U.S. NUCLEAR REGULATORY COMMISSION
REGION IV**

Docket: 040-08027

License: SUB-1010

Report: 040-08027/09-001

Licensee: Sequoyah Fuels Corporation

Location: P.O. Box 610
Gore, Oklahoma

Date: February 5-6, 2009

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Nuclear Materials Safety Branch B

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Approved by: Jack E. Whitten, Chief
Nuclear Materials Safety Branch B

Attachment: Supplemental Inspection Information

ENCLOSURE

EXECUTIVE SUMMARY

Sequoyah Fuels Uranium Conversion Facility NRC Inspection Report 040-08027/09-001

This inspection was a routine, announced inspection of decommissioning activities being conducted at the Sequoyah Fuels facility in Gore, Oklahoma. In summary, the licensee was conducting decommissioning in compliance with regulatory and license requirements.

Management Organization and Controls

- The organizational structure was in agreement with license requirements. A sufficient number of staff members were available for decommissioning activities in progress. The licensee also had a functioning As Low As Reasonably Achievable program as required by the license (Section 1).

Radiation Protection

- The licensee conducted its radiation protection program in accordance with the requirements of 10 CFR Part 20 and the license. Occupational exposures were noted as being below regulatory limits (Section 2).

Maintenance and Surveillance Testing

- The licensee was conducting routine site inspections in accordance with license requirements. Surveillances were used by the licensee to monitor critical work activities. The licensee was effectively using condition reports to document problems that had the potential to affect safety, quality, or decommissioning activities (Section 3).

Operator Training/Retraining/Emergency Preparedness

- The licensee implemented a training program in accordance with license requirements (Section 4).
- The licensee maintained an emergency preparedness program that included instructions and equipment for responding to contamination spills and individuals who become injured at the licensee's facilities (Section 4).

Radioactive Waste Management and Inspection of Transportation Activities

- The licensee had effectively implemented and maintained a program for monitoring and securing solid waste storage and the requisite retention pond areas required by the license (Section 5).

Environmental Protection

- The effluent and environmental monitoring programs were conducted in accordance with license and regulatory requirements. The sample results indicated that liquid and gaseous effluent releases were less than regulatory limits (Section 6).

- Elevated concentrations of radioactive material continued to be identified by the licensee in selected groundwater monitoring wells. In response to these elevated levels, the licensee continued to implement an interim groundwater corrective action program (Section 6).
- The licensee continued to utilize an ammonium nitrate solution as a fertilizer on land used to produce hay. The licensee implemented the fertilizer distribution program in accordance with license application requirements (Section 6).

Report Details

Summary of Site Status

Sequoyah Fuels Corporation operated its uranium conversion facility near Gore, Oklahoma, between 1970 and 1992. The license currently authorizes the possession of up to 20 million metric tons of 11e.(2) byproduct material. The site also contains residual, low-level radioactive contamination in buildings, plant equipment, and plant debris. The licensee does not have any yellowcake or uranium hexafluoride material remaining onsite, with the possible exception of residual material that may remain inside of plant processing equipment.

Since 2005, the licensee has conducted raffinate sludge dewatering operations. The licensee has bagged over 11,000 2-ton super-sacks totaling about 21 million pounds of sludge material. The super-sacks are being temporarily stored on the former yellowcake storage pad. Residual raffinate sludge remains in one clarifier pond. The licensee indicated that it would continue to remove and dewater this material from the pond as time permits. The raffinate sludge will remain in storage onsite until the licensee determines how it will ultimately dispose of the material.

In the near future, the licensee is expected to receive NRC approval for its proposed reclamation plan. Once approved, the licensee plans to begin construction of Phase I of the onsite disposal cell. In preparation for this activity, the licensee has recently moved stored equipment and debris from the area where the cell will be constructed. The licensee also commenced with asbestos abatement work in the main processing building. The licensee discussed the proposed reclamation schedule with the NRC during the inspection, and the licensee indicated that it plans to complete surface reclamation at the facility in approximately 5 years.

1 Management Organization and Controls (88005)

1.1 Inspection Scope

The inspectors reviewed management organization and controls to ensure that the licensee was maintaining effective oversight of decommissioning activities.

1.2 Observation and Findings

The organizational structure is provided in Section 11.1 and Figure 2-1 of the license application. At the time of the inspection, the plant staff consisted of five individuals: the president, environmental manager, senior health and safety technician, decommissioning and decontamination project supervisor, and administrative assistant. The licensee has elected to use contractor support for radiation safety and miscellaneous site maintenance activities as needed. In addition, security guards provided facility oversight during nights, weekends, and holidays. The inspectors concluded that the licensee had sufficient staff to ensure compliance with license and regulatory requirements.

The requirements for the As Low As Reasonably Achievable (ALARA) program committee are provided in Section 3.2.2 of the license application. In addition to annual committee meetings, the license application requires the licensee to conduct an annual ALARA audit. The ALARA committee last met during December 2008. At that time, the

committee discussed recent trends, including increases in derived air concentration-hour exposures due to ongoing work activities. The committee also noted a decrease in fluid recovered from site trenches, most likely the result of a drop in the water table because of dry spells resulting in less than normal groundwater accumulation. In summary, the licensee has conducted the ALARA program as specified in the license application.

1.3 Conclusions

The organizational structure was in agreement with license requirements. A sufficient number of staff members were available for decommissioning activities in progress. The licensee also had a functioning ALARA program as required by the license.

2 Radiation Protection (83822)

2.1 Inspection Scope

The inspectors examined the licensee's radiation protection program for compliance with the license and 10 CFR Part 20 requirements.

2.2 Observations and Findings

The inspectors reviewed personnel monitoring records. Personnel monitoring maintained by the licensee included both external and internal exposures of occupationally exposed individuals. The inspectors reviewed the occupational exposure records for 2007 and the first three quarters of 2008.

To measure external doses, thermoluminescent dosimeters were assigned to selected individuals. During 2007, 11 individuals were monitored with thermoluminescent dosimeters. The highest deep dose equivalent exposure to a maximally exposed individual was 23 millirems, a dose assigned to a raffinate sludge filter press operator. During the first three quarters of 2008, nine individuals were monitored. The highest deep dose equivalent exposure during this time frame was 43 millirems.

Internal doses were assigned by the licensee to workers based on air sample results. During 2007, the highest committed effective dose equivalent assigned to an occupationally exposed worker was 146 millirems.

The licensee's records indicate that the highest total dose effective equivalent, assigned to the filter press operator, was 169 millirems during 2007 with a regulatory limit of 5,000 millirems as specified in 10 CFR 20.1201. The licensee had not completed its dose assessment for 2008 at the time of the inspection; therefore, the occupational doses for 2008 will be reviewed during a future inspection.

The bioassay requirements are provided in License Condition 9.4. Bioassay sampling consisted of measurement of uranium concentrations in urine. The inspectors reviewed the bioassay results for 2008-2009. All sample results were below the action level of 15 micrograms of uranium per liter of urine ($\mu\text{g/L}$) until late December 2008.

During late December 2008 and early January 2009, several bioassay samples submitted by the asbestos abatement and scaffolding contract employees exceeded the lowest action level. At the time of the inspection, records maintained by the licensee

indicate that five contractors had submitted bioassays that exceeded the action level. The highest sample result was 62.7 µg/L. None of the sample results exceeded the NRC's reporting levels.

In response to the elevated sample results, the licensee initiated a formal investigation. The licensee discussed the bioassay sample results with the work crew during late January 2009. This discussion outlined management expectations for use of respirators during work activities. The licensee's investigation of the bioassay exceedances was incomplete at the conclusion of the onsite inspection. Based on the available information, the inspectors determined that the calculated doses would be small fractions of the annual limit.

Section 3.2.1 of the license application provides the hazardous work permit requirements. Hazardous work permits are used to control nonroutine work activities, particularly when these activities involve radioactive material or when a significant potential for personnel exposures exists. During 2008, the licensee initiated 10 hazardous work permits. The inspectors reviewed these hazardous work permits. The hazardous work permits identified specific radiological hazards and the personnel protective equipment requirements for the identified hazards.

The inspectors conducted a review of the licensee's routine contamination control program. The licensee performed weekly removable radiological contamination surveys for access control points as well as the laundry room, sample counting rooms, and other areas as appropriate. The inspectors also reviewed the licensee's program for surveying equipment and assessing materials being released for unrestricted use. The licensee maintained documentation demonstrating that the required surveys had been conducted during 2008.

License application Section 3.3.3 requires that radiation survey instrumentation be calibrated at least every 6 months. The inspectors confirmed that all survey meters in service during the inspection had been calibrated, and the calibrations were within the required 6-month frequency. The inspectors observed several survey meters in service, and all meters appeared fully functional.

2.3 Conclusions

The licensee conducted its radiation protection program in accordance with the requirements of 10 CFR Part 20 and the license. Occupational exposures were noted as being below regulatory limits.

3 **Maintenance and Surveillance Testing (88025)**

3.1 Inspection Scope

The inspectors reviewed general maintenance, operations, and surveillance tests to ensure compliance with license requirements and approved procedures.

3.2 Observations and Findings

License Condition 46 states, in part, that the licensee shall perform and document daily inspections of tailings and waste retention systems during normally scheduled workdays.

The licensee maintained extensive logbook entries of daily inspections of the clarifier ponds and the emergency basin, the two areas considered to be tailings and waste retention systems. The licensee has not identified a degradation of the retention systems in recent years. The licensee, when questioned by the inspectors, indicated that no overflows of the ponds had occurred.

The licensee utilized condition reports to document unusual conditions and associated corrective actions. The inspectors reviewed the condition reports for 2008-2009 during the inspection. The inspectors found that all condition reports included corrective actions to prevent recurrence. The condition reports were determined by the inspectors to be effective mechanisms for documenting, tracking, and resolving issues that may impact safety.

3.3 Conclusions

The licensee was conducting routine site inspections in accordance with license requirements. Surveillances were used by the licensee to monitor critical work activities. The licensee was effectively using condition reports to document problems that had the potential to affect safety, quality, or decommissioning activities.

4 Operator Training/Retraining (88010) and Emergency Preparedness (88050)

4.1 Inspection Scope

The inspectors reviewed training records and interviewed personnel to ensure that the licensee was implementing its training programs in compliance with regulatory and license requirements. The inspectors also reviewed the licensee's emergency preparedness program to determine whether the program was being maintained in a state of operational readiness.

4.2 Observations and Findings

The training program requirements are provided in Sections 2.6 and 11.4 of the license application. The inspectors confirmed that required training had been provided to the scaffolding and asbestos workers prior to work in the licensee's facilities. This training was conducted during December 2008 and January 2009 to the various workers. Refresher training was provided during 2008 to the remainder of the site staff through required readings. Refresher training included hazardous material training. Hazardous material transportation training was provided during February 2007. This hazardous material refresher training satisfied U.S. Department of Transportation training requirements and was valid for 3 years from completion.

The licensee maintained emergency response capabilities for two classes of incidents—spills of dry uranium and injury of personnel. Emergency instructions for these types of incidents were provided in the licensee's facility operating procedures. The licensee also maintained a procedure for regulatory and license reporting requirements. The inspectors confirmed during site tours that the licensee had equipment available for responding to an emergency, should one arise.

4.3 Conclusions

The licensee implemented a training program in accordance with license requirements. The licensee maintained an emergency preparedness program that included instructions and equipment for responding to contamination spills and individuals who become injured at the licensee's facilities.

5 Radioactive Waste Management and Inspection of Transportation Activities (88035 and 86740)

5.1 Inspection Scope

The inspectors interviewed licensee representatives, toured the site, and reviewed applicable records to determine if the licensee had established and maintained an effective program for management of radioactive wastes.

5.2 Observations and Findings

Site tours were conducted, in part, to observe the licensee's handling and storage of radioactive waste material. The restricted area entrance was posted as a radioactive materials area in accordance with license application Section 1.8, "Posting Exception." Site security was adequate with fences and gates in good working order.

License Condition 50 provides the requirements for removing, bagging, and storing the raffinate sludge. The inspectors conducted a review of the licensee's storage of bagged raffinate sludge. At the time of the inspection, the licensee had filled approximately 11,000 bags of sludge, and the bags were being stored on the former yellowcake storage pad. The inspectors toured the temporary storage cells, the areas where the bagged materials were being stored. The inspectors concluded that the storage cells were being maintained in accordance with License Condition 50.

The inspectors conducted radiological surveys of the bagged material. The inspectors conducted the surveys using a Ludlum Model 19 microRoentgen meter (NRC Meter 015540, calibration due date of 02/14/09). With a background of about 0.01 milliroentgens per hour (mR/hr), the bagged raffinate sludge measured up to 2.7 mR/hr. These readings were consistent with licensee's measurements. Based on these measurements, the exposure rates did not meet the definition of radiation areas (greater than or equal to 5 mR/hr) requiring additional posting.

The licensee maintained a program for recovering fluids containing radioactive material or chemical constituents. The program included use of intercept trenches and recovery wells. During the previous year, the licensee recovered about 2.5 million gallons of fluid. The licensee's 2008 ALARA committee determined that the recovery efforts were having a positive impact on the environment based on the amount of water collected.

5.3 Conclusions

The licensee had effectively implemented and maintained a program for monitoring and securing solid waste storage and the requisite retention pond areas required by the license.

6 Environmental Protection (88045)

6.1 Inspection Scope

The inspectors reviewed the licensee's effluent, groundwater, and environmental monitoring activities to determine compliance with applicable regulatory and license requirements.

6.2 Observations and Findings

a. Effluent Monitoring Program

The liquid effluent monitoring program requirements are provided in Section 5.1 of the license application. The licensee monitored two release points, the combination stream Outfall 001 and the storm water Outfall 008. The combination stream was sampled on a continuous basis, while the storm water outfall was sampled during rain events. The outfalls were sampled for several chemical constituents as well as uranium, radium-226, and thorium-230 concentrations. The inspectors observed the sampling equipment in service, and the equipment appeared to be operable at both locations.

The inspectors reviewed the licensee's 2008 effluent data. At Outfall 001, radium-226 concentrations were below 1 picocuries per liter (pCi/L) and thorium-230 concentrations were below 2 pCi/L, while uranium ranged from 1 to 87 micrograms per liter ($\mu\text{g/L}$). At Outfall 008, radium-226 concentrations were below 2.15 pCi/L and thorium-230 concentrations were less than 1 pCi/L, while uranium ranged from 9.6 to 71.5 $\mu\text{g/L}$. All sample results remained below the respective action levels during the year.

b. Groundwater Monitoring Program

License Condition 49 provides the groundwater compliance monitoring program requirements. The sampling and analysis schedules were provided in Table 4 of the groundwater monitoring plan dated February 25, 2005. The program consisted of 86 sampling locations that included background wells, point-of-compliance wells, intercept trenches, and surface waters.

The inspectors compared the sample results for 2008 to the groundwater protection standards provided in License Condition 49.B. The primary chemical constituents of concern included uranium, fluoride, nitrate, and arsenic. During 2008, these constituents continued to be identified in a selected number of wells. The highest uranium and fluoride sample results were identified in samples collected from wells located north of the former solvent extraction building. The highest nitrate concentration was identified in a monitoring well located near the southwest corner of Pond 2. Finally, arsenic peaked in a sample collected from a well located south of the incinerator.

Seepage and drainage samples were collected quarterly from six areas situated in the western portion of the facility. Selected samples obtained by the licensee exceeded the groundwater protection standards, including the uranium standard. In response, the licensee had previously implemented a groundwater corrective action program that included the use of collection trenches, French drains, and recovery wells.

Corrective action monitoring implemented by the licensee consisted of the collection of water samples from four collection trenches and two monitoring wells. These six sampling points were situated down-gradient of the groundwater intercept trenches. The licensee collected the water samples on at least a quarterly basis. The licensee continued to recover potentially contaminated water from the trenches. Recovered fluid from the trenches was pumped to either the onsite clarifier basins or Pond 3W.

Four surface water samples were collected annually from two local rivers. The licensee voluntarily sampled four additional places, including a location downstream of Outfall 001. The samples were analyzed, in part, for their uranium and radium-226 concentrations. None of the surface water samples that were collected by the licensee exceeded the respective action levels.

c. Environmental Monitoring Program

The licensee as part of its environmental monitoring program conducted air particulate, sediment, radon, and impoundment underdrain sampling. The inspectors reviewed the results of samples collected during the fourth quarter of 2007 and the first three quarters of 2008. In summary, no sample obtained by the licensee exceeded the respective action level or effluent concentration limit.

As part of the environmental monitoring program, the licensee maintained four perimeter air sampling stations. Ambient air was continuously sampled at these stations. The filter media in the air samplers was exchanged weekly and analyzed for gross alpha concentrations. The highest sample result, collected from the east fenceline sample station during July 2008, was 2.02 E-14 microcuries per milliliter ($\mu\text{Ci/ml}$). During 2007-2008, all sample results were below the NRC-approved action level of 4.5 E-14 $\mu\text{Ci/ml}$.

The environmental air sample filters collected by the licensee were composited quarterly and analyzed for uranium, radium-226, and thorium-230 concentrations. The sample results provided by the licensee were less than 7 percent of the respective effluent concentration limits as specified in Appendix B to 10 CFR Part 20.

Sediment samples were collected annually by the licensee at three river locations. The samples were analyzed for uranium, radium-226, and thorium-230 concentrations. The thorium-230 and radium-226 concentrations were less than 3 picocuries per gram (pCi/g) and were comparable to background levels. Uranium concentrations in the sediment samples were at or below 3.94 micrograms of uranium per gram of sediment ($\mu\text{g/g}$), with an established action level of 40 $\mu\text{g/g}$.

Although radon sampling was not required by the license, the licensee has elected to collect quarterly radon samples at selected onsite and fenceline locations. Radon samples were collected at five fenceline locations, the main gate, inside the raffinate bagging (laundry) building, and the yellowcake storage pad. The sample results for 2008 were at or below 6.4 pCi/L , with an established effluent concentration limit of 30 pCi/L .

Finally, the licensee conducted sampling of the lined impoundment leak detection systems in accordance with Section 5.2.4 of the license application. These underdrains were sampled monthly for uranium and nitrate concentrations. At the time of the

inspection, the licensee was monitoring five ponds—the four clarifier ponds and fertilizer Pond 5. No specific action levels have been established by the NRC for these samples, and the licensee has elected to use the information for trending purposes.

d. Ammonium Nitrate Fertilizer Distribution Program

Section 1.8 of the license application allows the licensee to use ammonium nitrate solution generated from onsite dewatering activities as fertilizer, subject to a number of limitations. The solution can only be used as a fertilizer on crops grown for animal food or for seed production. The licensee is required by its license to submit an annual completion report to the NRC. The most recent report was submitted to the NRC on April 28, 2008. This report provided by the licensee discussed the results of the 2007 growing season. During the 2007 growing season, the licensee applied 4.9 million gallons of solution on four tracts of land totaling 143 acres.

The license application specifies a limit of 700 pounds of nitrogen per acre. The application rate reported by the licensee ranged from 134 to 242 pounds of nitrogen per acre of land. The license application also specifies a radium-226 concentration limit of 2 pCi/L and uranium concentration limit of 0.1 milligrams per liter (100 µg/L) of solution. The composite sample results obtained by the licensee indicated a radium-226 concentration of less than 0.1 pCi/L and a uranium concentration of 2.48 µg/L.

The license application also specifies that the licensee will collect soil and vegetation samples from the fertilized areas. The sample results obtained by the licensee are reviewed by an agronomist who subsequently provides recommendations for the nitrogen application rates. Similar to previous years, the 2007 vegetation samples continued to contain elevated molybdenum concentrations. However, the vegetation (hay) could still be consumed by animals but with specific dietary restrictions imposed.

6.3 Conclusions

The effluent and environmental monitoring programs were conducted in accordance with license and regulatory requirements. The sample results indicated that liquid and gaseous effluent releases were less than regulatory limits. Elevated concentrations of radioactive material continued to be identified by the licensee in selected groundwater monitoring wells. In response to these elevated levels, the licensee continued to implement an interim groundwater corrective action program. The licensee continued to utilize an ammonium nitrate solution as a fertilizer on land used to produce hay. The licensee implemented the fertilizer distribution program in accordance with license application requirements.

7 Exit Meeting

The inspectors reviewed the scope and findings of the inspection during an exit meeting with the licensee at the conclusion of the onsite inspection on February 6, 2009. The licensee did not identify as proprietary any information provided to, or reviewed, by the inspectors.

SUPPLEMENTAL INSPECTION INFORMATION

Partial List of Persons Contacted

Licensee

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R. Miller, Consultant
S. Munson, Environmental Manager
K. Simeroth, Senior Health & Safety Technician

Oklahoma Department of Environmental Quality

N. Newkirk, Environmental Programs Specialist, Radiation Management Section
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Inspection Procedures Used

IP 83822	Radiation Protection
IP 86740	Inspection of Transportation Activities
IP 88005	Management Organization and Controls
IP 88010	Operator Training/Retraining
IP 88025	Maintenance and Surveillance of Safety Controls
IP 88035	Radioactive Waste Management
IP 88045	Environmental Protection
IP 88050	Emergency Preparedness

Items Opened, Closed, and Discussed

Open

None

Closed

None

Discussed

None

List of Acronyms Used

ALARA	As Low as Reasonably Achievable
CFR	<i>Code of Federal Regulations</i>
IP	inspection procedure
mR/hr	milliroentgens per hour
μCi/ml	microcuries per milliliter
μg/g	micrograms per gram
μg/L	micrograms per liter
NRC	U.S. Nuclear Regulatory Commission
pCi/g	picocuries per gram
pCi/L	picocuries per liter