

July 14, 2009

Ms. Phyllis Anderson, Acting Director  
Assessment and Remediation Division  
Office of Superfund Remediation  
and Technology Innovation  
U.S. Environmental Protection Agency  
M.S. 5204P  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

SUBJECT: RESPONSE TO RECOMMENDATIONS REGARDING THE  
DECOMMISSIONING OF THE NWI BRECKENRIDGE SITE IN  
BRECKENRIDGE, MICHIGAN

Dear Ms. Anderson:

Thank you for your June 12, 2009, letter which outlined the U.S. Environmental Protection Agency (EPA) views regarding the decommissioning of the NWI Breckenridge (Breckenridge) site, located near Breckenridge, Michigan. The U.S. Nuclear Regulatory Commission (NRC) consulted EPA about the Breckenridge site decommissioning because the proposed derived concentration guideline levels (DCGLs) in the Supplemental Site Characterization Report (SSCR), for certain radionuclides, exceed the soil concentration values in Table 1 of the 2002 "Memorandum of Understanding (MOU) between NRC and EPA on Consultation and Finality on Decommissioning and Decontamination of Contaminated Sites." In your letter you stated:

In EPA's view, if NRC is unable to meet the 5 pCi/g Table 1 value for thorium-232 and radium-226, NRC should consider the use of supplemental standards. The use of supplemental standards would not alter NRC's obligation to possibly trigger a future Level 2 consultation, if Table 1 soil values were found to be exceeded after the Final Status Survey (FSS). However, during a potential Level 2 consultation, if NRC is able to furnish a supplemental standard, their rationale for allowing its use, and the residual concentrations and land use for the site, such information may facilitate EPA offering its views on the NRC decommissioning approach.

After review of the SSCR, the NRC staff concluded that the proposed DCGLs are consistent with Title 10 of the Code of Federal Regulations (CFR), Part 20, Subpart E. Specifically, the Breckenridge Custodial Trust proposes to decontaminate the site to meet the requirements in 10 CFR Part 20.1402 for unrestricted use, using site-specific DCGLs based on the resident farmer scenario. As such, the doses to the average member of the critical group at the Breckenridge site comply with NRC's criteria in Part 20, Subpart E, which stipulates an all-pathways dose criteria of 0.25 millisieverts per year (25 millirem per year) and that doses be as low as is reasonably achievable. The Part 20 dose criteria are fully protective of the public health and safety. Thus, the EPA's June 12, 2009, recommendation involving the use of supplemental standards will not be adopted. Following site remediation activities, NRC staff will review the information in the FSS reports and compare the levels of residual radioactivity against the MOU trigger levels. If the FSS measurements exceed the trigger levels in the MOU, the NRC will contact your office pursuant to the MOU, and provide additional information on

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residual concentrations and land use to facilitate EPA offering its views on the decommissioning of this site.

If you have any questions regarding this letter or the decommissioning activities at the Breckenridge site, please contact Dr. Keith I. McConnell, Deputy Director, Decommissioning and Uranium Recovery Licensing Directorate, at (301) 415-7295.

Sincerely,

**/RA/ by Patrice Bubar, Acting for**

Larry W. Camper, Director  
Division of Waste Management  
and Environmental Protection  
Office of Federal and State Materials  
and Environmental Management Programs

Docket No.: 40-6264

License No.: SMB-833 (Terminated)

cc: NWI Breckenridge Service List

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Larry W. Camper, Director  
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cc: NWI Breckenridge Service List

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Date	7/1/09	7/13/09	7/14/09	

**OFFICIAL RECORD COPY**

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