



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

June 10, 2010

MEMORANDUM TO: Docket File 040-08177

THROUGH: Jack E. Whitten, Chief */RA Roberto J Torres for/*
Nuclear Materials Safety Branch
Division of Nuclear Materials Safety

FROM: D. Blair Spitzberg, Chief */RA/*
Repository and Spent Fuel Safety Branch
Division of Nuclear Materials Safety

SUBJECT: CLOSURE MEMORANDUM FOR CORPUS CHRISTI ARMY DEPOT
LICENSE, CONTROL NO. 472387

By letter received December 3, 2007, the Corpus Christi Army Depot (licensee) requested release of its site in Corpus Christi, Texas, and termination of its source material license. In summary, we conducted a technical review of the licensee's submittals, and we recommend that the license be terminated as requested by the licensee.

The licensee's request was reviewed as a Group 2 decommissioning project in accordance with the guidance provided in NUREG-1757, "Consolidated NMSS Decommissioning Guidance," Volume 1. According to Table 1.2, Principle Regulatory Features of Decommissioning Groups, from NUREG-1757, safety evaluation reports are not required for Group 2 decommissioning projects. However, a technical evaluation of this proposed licensing action is provided in the enclosure to this memorandum. Since a decommissioning plan was not required by 10 CFR 40.42(g) and since the final status survey results were less than the NRC's generic screening criteria, an environmental assessment is not required per Categorical Exclusion 10 CFR 51.22(c)(20)(iii).

Table 1.2 from NUREG-1757 provides the principle regulatory features of the seven decommissioning groups. Provided below is a status of each of the principle regulatory features for this Group 2 decommissioning project:

Principle Regulatory Feature	Status
NEPA compliance – completion of an Environmental Assessment	Not required per Categorical Exclusion 10 CFR 51.22(c)(20)(iii)
Restricted or unrestricted use	Licensee requested unrestricted use
Decommissioning plan required?	Decommissioning plan was not required by 10 CFR 40.42(g)
Decommissioning plan review documentation	Not applicable

Radioactive material disposition documentation	Remaining radioactive materials were transferred to a waste broker during July 2009
Method for demonstrating site is suitable for release-survey or demonstration	The licensee submitted final status survey report by letter dated August 12, 2009
Confirmatory or side-by-side survey	A confirmatory inspection was conducted during April 2009, and a reciprocity inspection was conducted during June 2009
Close-out inspection	A final, close-out inspection was determined to be unnecessary since the NRC conducted two inspections during 2009 and the licensee provided documentation of final disposition of the radioactive material
<i>Federal Register</i> Notice used to inform public of the staff's actions	A FRN was not required based on the categorical exclusion and NUREG-1757 guidance
Documentation to support licensing action	<p>Dunaway, Col. Joe D., Request for License Amendment, December 3, 2007 (ML073600910, not publicly available)</p> <p>NRC, License Amendment 24, January 22, 2008 (ML080230160)</p> <p>Perez, Eduardo, Radiological Survey Plan, September 27, 2008 (ML083190755)</p> <p>NRC, License Amendment 25, November 7, 2008 (ML083180609)</p> <p>NRC Inspection Report 040-08177/09-001, May 5, 2009 (ML091250530)</p> <p>NRC, Request for Additional Information, May 8, 2009 (ML091310636, not publicly available)</p> <p>Perez, Eduardo, Response to Request for Additional Information, June 5, 2009 (ML100341328)</p> <p>NRC Reciprocity Inspection Report 15000041/09-001, June 2, 2009 (ML091600061, publicly available and ML091600070, not publicly available)</p> <p>Marks, Andrew, Request for Termination of NRC Source Material License, August 12,</p>

	2009 (ML092530257) Marks, Andrew, Response to NRC Requests for Additional Information, Emails dated December 18, 2009, and April 29, 2010, and May 13, 2010 (ML101580022)
--	--

The NRC staff considered whether a consultation with U.S. Environmental Protection Agency (EPA) was required per the EPA-NRC Memorandum of Understanding dated October 9, 2002. An EPA consultation was not required because most contamination was limited to internal building surfaces only. The outdoor soil contamination was less than the EPA consultation limit of 5 picocuries of thorium-232 per gram of soil. Further, there was no evidence of groundwater contamination resulting from previous licensed operations.

Our review of the final status survey report is complete. The results of the final status survey meet the criteria of NUREG-1757 and similar guidance documents; therefore, RSFS approves the final status survey report. An amendment to NRC Materials License No. STB-1168 is recommended to authorize the release of the facility for unrestricted use and to terminate the license.

Control: 472387
Docket: 040-08177
License: STB-1168

Enclosure: Technical Evaluation

bcc w/enclosure (via ADAMS e-mail distribution):

Arthur T. Howell
 Charles L. Cain
 William Maier
 Blair Spitzberg
 Jack Whitten
 Robert Evans
 RSFS Files
 RIV Materials Docket Files - 5th Floor

Draft: S:\DNMS\NMSB-B\RJE\CCAD Decomm Closure Memo.docx

Final: R:_DNMS

ADAMS	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> SUNSI Rev Complete	Reviewer Initials:	RJE
Publicly Avail	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Sensitive Value:		
DNMS:RSFS	C:RSFS	C:NMSB-B		
Robert Evans	D Blair Spitzberg	Jack E Whitten		
/RA/	/RA/	/RA RJT for/		
06/8/10	06/8/10	06/10/10		

OFFICIAL RECORD COPY T=Telephone E=E-mail F=Fax

Technical Evaluation

NRC source material license STB-1168 was originally issued to the Department of the Army during August 1973. The license currently allows the Corpus Christi Army Depot (licensee) to possess thorium-232 in thorium-nickel and thorium-magnesium alloys. By letter received December 3, 2007, the licensee informed the NRC of its intention to terminate the license. The Army wanted to terminate the license because it was no longer using the license to perform repairs or maintenance activities at the Corpus Christi Army Depot. Amendment 24 to the license dated January 22, 2008, allowed the licensee to possess up to 5,000 pounds of source material for possession and storage only pending license termination.

The licensee subsequently submitted a radiological survey plan to the NRC by letter dated September 27, 2008. The survey plan included a proposed derived concentration guideline level (DCGL) for residual thorium-232 on building surfaces. The NRC approved the survey plan by license amendment dated November 7, 2008, with one exception. The NRC staff rejected the licensee's proposed release criteria for equipment because it was based on an ANSI/HPS standard that was not endorsed by the NRC.

The bulk of the decommissioning work was conducted by a contractor during November-December 2008, followed by a second round of work being conducted during March-April 2009. This additional work included reassessment of the original background measurements.

The NRC elected to conduct a confirmatory survey during April 2009. The inspection included all areas identified in the site historical assessment. Residual radioactive contamination, in concentrations greater than the NRC-approved DCGL, was identified in the welding shop of Building 8. The inspector concluded that this location required additional remediation or assessment by the licensee. Elevated beta radioactivity concentrations were also identified in other areas, but the inspector did not identify elevated alpha radioactivity in these same areas. The inspector attributed the elevated beta radioactivity to interference from generally licensed radioactive material or from naturally occurring radioactive material in the building construction materials.

The NRC staff conducted a docket file review and identified additional areas of use that were not mentioned in the licensee's site historical assessment. The NRC submitted a request for additional information to the licensee by letter dated May 8, 2009. The licensee responded by letter dated June 5, 2009, claiming that "all impacted areas have been appropriately included in the CCAD Radiological Survey Plan."

In response to the NRC inspector's discovery that the welding shop did not meet the NRC-approved DCGL, the licensee elected to conduct additional remediation of this area. The work was conducted by a contractor under reciprocity with the NRC. The work was conducted during June 2009. An NRC inspector conducted a reciprocity inspection during the contractor's decommissioning work. The NRC inspector concluded that the work was being conducted in accordance with NRC requirements, and clear NRC Form 591M was issued to the contractor.

The licensee subsequently submitted the Radiological Survey Report and Final Status Survey Evaluation, materials disposal records, and an NRC Form 314 to the NRC by letter dated August 12, 2009. The NRC staff reviewed the report and submitted requests for additional information to the licensee by emails dated December 10, 2009, and February 5, 2010. The licensee responded with additional information by emails dated December 18, 2009, April 29, 2010, and May 13, 2010.

ENCLOSURE

In summary, the licensee's final status survey report indicates that all areas meet the release criteria including the NRC-approved DCGL for surfaces and the NRC generic screening criteria for soil samples. Accordingly, the results of the final status survey, as confirmed through confirmatory and reciprocity inspections, indicate that the Corpus Christi Army Depot meets the radiological criteria for unrestricted use as specified by 10 CFR 20.1402.