

November 30, 2010

MEMORANDUM TO: Paul Michalak, Chief
Materials Decommissioning Branch
Decommissioning and Uranium Recovery
Licensing Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

FROM: Dominick Orlando, Project Manager **/RA/ by P. Michalak for**
Special Projects Branch
Decommissioning and Uranium Recovery
Licensing Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

SUBJECT: PUBLIC MEETING SUMMARY

On October 29, 2010, a meeting was held with the U.S. Army Corps of Engineers, the U.S. Army, and their contractor Cabrera Services, to discuss construction activities at the Schofield Barracks in Oahu, HI. Interested members of the public were afforded the opportunity to observe the meeting and ask questions, pursuant to Management Directive 3.5.

Docket: 040-9083

Enclosure: Meeting Summary

CONTACT: Dominick Orlando, FSME/DWMEP
(301) 415-6749

November 30, 2010

MEMORANDUM TO: Paul Michalak, Chief
Materials Decommissioning Branch
Decommissioning and Uranium Recovery
Licensing Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

FROM: Dominick Orlando, Project Manager **/RA/ by P. Michalak for**
Special Projects Branch
Decommissioning and Uranium Recovery
Licensing Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

SUBJECT: PUBLIC MEETING SUMMARY

On October 29, 2010, a meeting was held with the U.S. Army Corps of Engineers, the U.S. Army, and their contractor Cabrera Services, to discuss construction activities at the Schofield Barracks in Oahu, HI. Interested members of the public were afforded the opportunity to observe the meeting and ask questions, pursuant to Management Directive 3.5

Docket: 040-9083

Enclosure: Meeting Summary

CONTACT: Dominick Orlando, FSME/DWMEP
(301) 415-6749

ML103130409

OFC	DWMEP	DWMEP	DWMEP	DWMEP
NAME	NOrlando	SAchten	PMichalak	NOrlando
DATE	11/22/10	11/22/10	11/30/10	11/30/10

OFFICIAL RECORD COPY

MEETING REPORT

DATE: October 29, 2010

TIME: 3:00 pm – 5:00 pm

PLACE: T2C2, TWFN
US NRC Headquarters
11545 Rockville Pike
Rockville, MD 20852

PURPOSE:

The purpose of this meeting was to discuss proposed construction activities by the United States Army Corps of Engineers (USACE) at the Schofield Barracks range in Oahu, Hawaii. The USACE proposes to remove depleted uranium (DU) and DU contaminated soils from a portion of the range to allow for the construction of a Battle Area Complex (BAX) to support weapons systems used by Stryker Brigade Combat Teams and Modular Brigades.

ATTENDEES:

See attached Attendees List.

DISCUSSION:

The USACE provided a presentation (ML103020003) detailing their proposed activities (see Attachment 2). The USACE provided an overview of the past use of the DU spotter rounds at the Schofield Barracks and described the Schofield Barracks BAX project. The USACE plans to remove DU and other munitions from approximately 100 acres of the existing range to allow unrestricted use of those areas of the BAX. The USACE described the surveys and spot remediation actions that have occurred to date, in preparing other areas for construction activities. The USACE provided a list of the plans that will be prepared to support the project and provided a schedule for the completion of the project.

The U.S. Nuclear Regulatory Commission (NRC) staff raised numerous concerns with the past range management and construction preparation activities and the manner in which the USACE proposed to move forward with the project. Specifically, the NRC staff questioned why the USACE had not sought approval from the NRC for previous DU management activities, such as spot remediation, waste preparation and transport and range burning (brush removal) activities, as the material on the range was licensable radioactive material. The NRC staff questioned why the USACE did not plan to submit the safety, decommissioning and environmental monitoring plans to NRC for review and approval, given the range contains licensable radioactive material, and that the Army has submitted an application for possession of the DU at the Schofield Barracks. The NRC also questioned why the USACE was able to remediate this portion of the range that contained unexploded ordnance and chemical munitions, but indicated that other ranges could not be cleared as it was too dangerous. The NRC also cautioned the USACE that, while the USACE planned to perform environmental monitoring during a near-term range burn, the NRC staff felt that the activity needed to be specifically approved by NRC before

Enclosure

the USACE performed the range burn. The NRC staff also indicated that some of the information provided by the USACE did not appear to comport with statements made before the Atomic Safety and Licensing Board (ASLB) regarding a request for hearing associated with the U.S. Army's possession-only license application at Pohakuloa Training Area and Schofield Barracks.

The NRC staff summarized their conclusions regarding the USACE's proposed activities below:

1. Many of the activities described by the USACE would constitute decommissioning.
2. Decommissioning is usually performed by a licensed entity, although the NRC has approved decommissioning by unlicensed entities as long as they follow the NRC process for review and approval of decommissioning plans and activities.
3. Using Cabrera as a contractor is appropriate, but it is not sufficient to perform the decommissioning under the Cabrera license alone.
4. The NRC does not approve of the approach proposed by the USACE.
5. If the USACE continues with its proposed approach there is the potential that they, and their contractor, could be in violation of NRC regulations.
6. Because many of the issues raised by the staff were of a legal nature, NRC and USCAE Legal Counsels need to discuss the matter as soon as possible.

After the USACE and NRC staff discussions, interested members of the public were allowed to ask the meeting participants questions. The questions centered around past range burning and monitoring activities, management of the spot remediation waste, and comments on the techniques and instruments used in previous USACE environmental monitoring.

ACTIONS:

1. Both USACE and the NRC staff will discuss the issues involved in the USACE proposal and discuss the matter further.
2. The USACE staff will inform NRC staff if they plan to perform the next range burn (currently scheduled for November 6, 2010) before the burn is performed.

Attachment: Meeting attendee list

MEETING ATTENDEES & TELECONFERENCE PARTICIPANTS

Topic: Meeting with the US Army Corps of Engineers to Discuss Construction Activities at the Schofield Barracks, Oahu, HI

Date: Friday, October 29, 2010, 3:00 PM – 5:00 PM

NAME	AFFILIATION	PHONE
	AT USNRC HQ	
Dominick Orlando	USNRC/FSME	301-415-6749
Paul Michalak	USNRC/FSME	301-415-7612
John Hayes	USNRC/FSME	301-415-5928
John Clements	USNRC/FSME	301-415-5878
Brett Klukan	USNRC/OGC	301-415-3629
Kimberly Sexton	USNRC/OGC	301-415-1151
Keith McConnell	USNRC/FSME	301-415-7295
TR Rowe	USNRC/FSME	301-415-8008
Hans Honerlah	US Army Corps of Engineers	410-962-9184
Claude Wiblin	Cabrera Services	410-332-8177
	PARTICIPATING BY PHONE OR VTC	
James Dwyer	USNRC/Region I	
D. Blair Spitzberg	USNRC/Region IV	
Timothy Vitkus	Oak Ridge Institute for Science and Education	
Robert Cherry	US Army Installation Management Command	
Sammy Houseberg	US Army Installation Management Command	
Clint German	US Army Installation Management Command	
Mike Igamy	US Army Installation Management Command	
Capt. Rohas	US Army Installation Management Command	
Col. Baldwin	US Army Installation Management Command	
Pat Harkman	Cabrera Services	
James Winston	Science Applications International Corporation	
Jason Tanaka	US Army Corps of Engineers	
Cory Harden	Private Citizen	
Mike Reimer	Private Citizen	
Joan Conrow	Civil Beat	