

Norman, Yolande

From: Schilthelm, Steve W [swschilthelm@babcock.com]
Sent: Wednesday, March 16, 2011 3:15 PM
To: Forbeck, Michael; Norman, Yolande; Lenart, William J LRP; Taylor, Paul F.; Chalker, Terry B.
Subject: Letter from BWXT to NRC
Attachments: Letter to NRC 3.16.10.pdf

Follow Up Flag: Follow up
Flag Status: Completed

The attached letter went into the mail today and is being copied to you via this e-mail. Please call me at numbers below if you have questions.

*Steve Schilthelm
B&W Technical Services Group
800 Main Street
Lynchburg, VA 24504
w: 434-522-6243
c: 434-665-3420
swschilthelm@babcock.com*



March 16, 2011

Document Control Desk
US Nuclear Regulatory Commission
Washington, D.C. 20555-0001

References:

1. Letter BWXT (Schilthelm) to NRC dated September 9, 2010, regarding proposed path forward for managing materials outside the scope of USACE. ML103020437
2. Memorandum of Understanding Between the U.S. Nuclear regulatory Commission and the U.S. Army Corps of Engineers for Coordination (USACE) of Cleanup & Decommissioning of the Formerly Utilized Sites Remedial Action Program (FUSRAP) Sites with NRC Licensed Facilities, July 5, 2001.

In our letter of September 9, 2010, (Reference 1) BWXT proposed a path forward for managing materials that USACE had determined were outside their scope. Specifically this included excavated material that was below soil cleanup Derived Concentration Guideline Levels (DCGLs) for radioactive materials and was also determined to be unacceptable for use as backfill at the site due to its non-radioactive constituents.

After further review of remediation options, BWXT has concluded that a modified approach will be more efficient from a project execution and regulatory execution standpoint. Therefore, BWXT is finalizing the following approach and requests NRC concurrence:

1. Cabrera Services, Inc. will be contracted to manage excavated materials that are below the USACE DCGL limits and cannot be used for backfill at the site. Cabrera will also manage the transportation and disposal of this material;
2. All activities executed by Cabrera will be performed under the contract and their NRC license number 06-30556;
3. Given that all activities with radioactive materials that are not executed by USACE will be executed under the Cabrera license, the BWXT license (SNM-2001) may be placed into abeyance in its entirety according to Reference 2. There will be no need for any of the BWXT license to remain in effect as was previously proposed;
4. The site access agreements between BWXT and USACE and the contract with Cabrera will assure that Cabrera and BWXT have appropriate access to the site to execute the work activities;
5. The contract with Cabrera will specify that all activities performed will be in accordance with their NRC license and will be in accordance with all state and local requirements for handling and shipping excavated material, including requirements if the material is determined to be a hazardous waste.

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March 16, 2011

Alternate disposal options are still under consideration. Given the current schedule for USACE excavation, alternate disposal will not be pursued for material generated in 2011. However, we request that our ability to make a request under 10CFR20.2002 be preserved for subsequent years as a part of the license abeyance process for SNM-2001. Absent an alternative, waste containing radioactive material would be disposed at an appropriately licensed disposal facility.

If you have questions or need additional information, please contact me at 434-522-6243 or the SLDA Project Manager, Terry Chalker, at 434-522-5531.

Sincerely,



S.W. Schilthelm
SLDA License Manager
BWX Technologies, Inc.

cc via email:

Yolande Norman, USNRC SLDA Project Manager
William Lenart, USACE SLDA Program Manager
Michael Forbeck, PADEP Waste Program Manager
Paul Taylor, ARCO SLDA Project manager
Terry Chalker, BWX Technologies, SLDA Project Manager

Norman, Yolande

From: Norman, Yolande
Sent: Wednesday, March 16, 2011 4:30 PM
To: Lemoncelli, Mauri; Kauffman, Laurie; Modes, Kathy
Cc: Joustra, Judith; Chang, Lydia; Norman, Yolande
Subject: FW: Letter from BWXT to NRC
Attachments: Letter to NRC 3.16.10.pdf

Hello Everyone,

Attached is the Licensee formal letter to the NRC notifying us of their request to preserve language for 20.2002 disposal option and to suspend the entire SLDA license because Cabrera was selected to handle the <DCGL material.

Based on a telephone discussion this morning with Steve Schilthelm, he indicated that the Licensee considered it prudent to submit this letter in the interest of time, as they enter the final stages of contract negotiations with Cabrera (contract to be finalized by end-March 2011).

Yolande

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S.W. Schilthelm
SLDA License Manager
BWX Technologies, Inc.

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Yolande Norman, USNRC SLDA Project Manager
William Lenart, USACE SLDA Program Manager
Michael Forbeck, PADEP Waste Program Manager
Paul Taylor, ARCO SLDA Project manager
Terry Chalker, BWX Technologies, SLDA Project Manager

Norman, Yolande

From: Norman, Yolande
Sent: Wednesday, March 16, 2011 4:21 PM
To: 'Schilthelm, Steve W'; Forbeck, Michael; Lenart, William J LRP; Taylor, Paul F.; Chalker, Terry B.; Chang, Lydia
Subject: RE: Letter from BWXT to NRC

The NRC acknowledges receipt of the above-referenced document.

Yolande J.C. Norman,
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Office of Federal and State Materials and Environmental Management Programs
U.S. Nuclear Regulatory Commission
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