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Chief, Rules, Announcements, and Directives Branch (RADB),

Office of Administration, Mail Stop: TWB-05-B01M

U.S. Nuclear Regulatory Commission

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Washington, DC 20555-0001.

Subject: Docket ID NRC-2011-0146 NRC regulation of radium at military sites

It would be helpful if the NRC could clarify how proposed changes to regulation of radium at military sites will impact the planned shallow land burial of soil contaminated with radium and other radionuclides at former McClellan Air Force Base. As the NRC is aware, the Air Force plans to create a waste consolidation unit or CAMU at McClellan, California. The site would hold radioactive waste only from former McClellan Air Force Base and it would not include any radioactive waste from the research reactor at McClellan that is currently operated under an NRC license by the University of California at Davis. Since the waste planned for burial is mostly old radium contaminated soil, the proposed NRC regulatory activities at former military bases seem relevant.

It would be helpful if the NRC could clarify whether or not they would license the proposed waste burial site and whether or not the Air Force radioisotope committee would be authorized to permit such a site under the existing NRC master materials license.

Also, it would help to clarify whether classifying the site as a waste consolidation unit under CERCLA or RCRA terminology and using the CERCLA process to establish a record of decision for this site, will avoid regulation by the NRC.

It is also unclear how the NRC or the Air Force could release the site for transfer to the state unless the recipient of the property had a radioactive materials license for a land burial site.

It would be helpful if the NRC could provide examples of how waste consolidation units containing radioactive waste have been handled in the past at military sites or other NRC licensed sites.

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