



## Department of Energy

Washington, DC 20585

August 9, 2011

U.S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Deputy Director  
Mail Stop T8F5  
Washington, DC 20555-0001

Subject: Letter dated May 19, 2011: "ACCEPTANCE OF REVISED LONG-TERM  
SURVEILLANCE PLAN FOR THE DURANGO DISPOSAL SITE, DURANGO,  
COLORADO"

To Whom It May Concern:

The U.S. Department of Energy, Office of Legacy Management (DOE-LM), is in receipt of the subject letter in where the Nuclear Regulatory Commission (NRC) accepted the Long-Term Surveillance Plan (LTSP) that DOE-LM had previously submitted to the NRC.

DOE-LM appreciates the NRC's timely acceptance of the LTSP and their concurrence to allow for a solar photo-voltaic (pv) panel installation on the cell's cover and adjoining areas. DOE-LM will keep the NRC informed as the solar pv solar installation project progresses.

Additionally, at this time DOE-LM wishes to advise the NRC that Jalena Dayvault has now been assigned as the Site Manager for the Durango disposal site, Durango, Colorado. Ms. Dayvault can be reached at (970) 248-6016.

Please call me at (970) 248-6091 if you have any questions. Please send any correspondence to:

U.S. Department of Energy  
Office of Legacy Management  
2597 Legacy Way  
Grand Junction, CO 81503

Sincerely,

David S. Shafer, Ph.D.  
Team Lead

Enclosure

FSUE20



cc w/enclosure:

K. McConnell , NRC

J. Dayvault, DOE-LM (e)

J. Desormeau, DOE-LM (e)

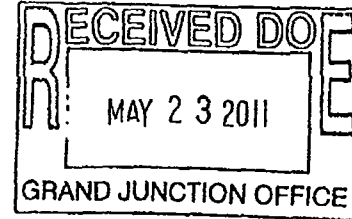
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Shafer/8-8-11 NRC Acceptance of Revised Durango LTSP.doc



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

May 19, 2011



Mr. Joseph P. Desormeau, Site Manager  
U.S. Department of Energy  
Office of Legacy Management  
2597 B ¾ Road  
Grand Junction, CO 81503

SUBJECT: ACCEPTANCE OF REVISED LONG-TERM SURVEILLANCE PLAN FOR THE  
DURANGO DISPOSAL SITE, DURANGO, COLORADO

Dear Mr. Desormeau

By letter dated July 21, 2010 (ML102100095), the U.S. Department of Energy (DOE) submitted a revised Long-Term Surveillance Plan (LTSP) for the Durango Disposal Site, Durango, Colorado which includes potential beneficial reuse of the property. In response to NRC verbal questions (ML111390157), DOE submitted an amendment to this plan on January 31, 2011. The U.S. Nuclear Regulatory Commission (NRC) had accepted the original LTSP on June 8, 2005.

The revised LTSP incorporates DOE actions to accommodate two potential beneficial uses of the site:

- lease the disposal area to private industry or electric utilities to place solar photovoltaic panels on top of the disposal cell cover or on previously disturbed areas west of the cell to generate electricity, and
- coordinate with other government agencies in management of site activities, such as coordinating with state agencies to enhance site resources to the benefit of the local wildlife population.

In the event that DOE does enter into a lease agreement, DOE will always maintain ownership of the disposal site and will not transfer or dispose of any real property interest without NRC concurrence. Further, all realty interest in the form of a lease shall be revocable, and the term of the lease shall be limited. Any lease shall require the lessee to restore the site to preexisting conditions at the end of reuse activities. DOE will ultimately be responsible for ensuring the integrity of the Durango disposal cell and for ensuring that it remains protective of human health and the environment. To ensure that any potential reuse does not have a negative impact on the cell, DOE would increase the frequency of site inspections to appropriately monitor the effects of the permitted reuse activity. To ensure that reuse of the site does not interfere with the long-term care, DOE will require the users to meet minimum technical requirements for reuse activities. In the case of a reuse activity with a lease to a private entity, DOE will impose these requirements on the lessee through the lease. These requirements include, but are not limited to:

NON RECORD

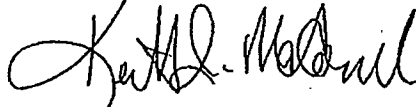
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- maintain integrity of the disposal cell cover;
- do not disturb rock armor on the channels and side slopes;
- project must not concentrate runoff to create a new runoff pattern across the cell cover;
- can not anchor into the soils;
- loads shall not exceed 300 pounds per square foot;
- lessee shall use its own lock on the entrance gate for continual access and "daisy chain" with DOE's lock;
- no wells can be drilled within the property boundaries;
- lessees shall minimize disturbance to the site topography; and
- at end of lease, the site shall be restored to preexisting condition.

The NRC staff reviewed the changes to the LTSP and determined that they are acceptable. The staff, therefore, accepts the revised LTSP as meeting the requirements in 10 CFR 40.28.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders," a copy of this letter will be available for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,



Keith I. McConnell, Deputy Director  
Decommissioning and Uranium Recovery  
Licensing Directorate  
Division of Waste Management  
and Environmental Protection  
Office of Federal and State Materials  
and Environmental Management Programs

Docket No.: WM-00048