



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, DC 20350-2000

Br. 3

IN REPLY REFER TO
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N45/2U158226
15 Oct 2012

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Mr. Shawn W. Seeley
License Reviewer
Division of Nuclear Materials Safety
U.S. NRC Region I
475 Allendale Road
King of Prussia, PA 19406

Dear Mr. Seeley:

03029462

Subj: REQUEST FOR SUSPENSION OF DECOMMISSIONING PLAN, ALTERNATE
DECOMMISSIONING SCHEDULE, AND HISTORICAL RADIOLOGICAL
ASSESSMENT ACTIVITIES FOR NAVAL RADIOACTIVE MATERIALS
PERMIT (NRMP) 04-60530-L1NP

The Navy's radioactive materials program is licensed with the Nuclear Regulatory Commission (NRC) under Master Materials License No. 45-23645-01NA. This request is being submitted to the NRC for the purpose of suspending decommissioning activities and historical radiological assessments (HRAs) at Naval Air Warfare Center Weapons Division (NAWCWD), China Lake.

NRC Inspection Report 45-23645-01NA/00-05 and Notice of Violation dated 30 August 2000 cited NAWCWD, China Lake for failure to notify the NRC or make a request for an alternate schedule for decommissioning as required by 10 CFR 30.36(d). As of October 1996, the permittee had ceased principal activities in the use of depleted uranium on the ranges covered under Naval Radioactive Materials Permit (NRMP) 04-60530-L1NP. Per 10 CFR 30.36(d) a decommissioning plan is required to be submitted within 12 months if no principal activities under the license have been conducted for a period of 24 months.

The reason for this request is that all of the ranges covered under NRMP 04-60530-L1NP (for the storage of depleted uranium (DU)) are operational military ranges in support of the U.S. Navy and the Department of Defense. Operational areas within

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the ranges are classified as either test areas or target areas. U.S. Code Title 10, Section 101(e)(3) defines an "operational range" as a range that is under the jurisdiction, custody, or control of the Secretary of a military department and that is used for range activities, or although not currently being used for range activities, that is still considered by the Secretary to be a range and has not been put to a new use that is incompatible with range activities.

Given the fact that all of the ranges are still classified as operational and are still being used for the testing and targeting of non-DU munitions and ordnance, decommissioning activities and historical radiological assessments should be suspended to relieve the requirements set forth in the regulations pursuant to 10 CFR 30.36(d). Decommissioning activities and historical radiological assessments will recommence once the ranges have been classified as non-operational and non-exploded ordnance has been removed.

If you have additional questions, please do not hesitate to contact me via telephone at (703) 695-5259 or through electronic mail at donna.davis-urgo@navy.mil.

Sincerely,



D. L. DAVIS-URGO
Captain, MSC, U.S. Navy
Executive Secretary
Naval Radiation Safety Committee

Copy to:

Naval Sea Systems Command (04N)
Naval Sea Systems Command Detachment, Radiological
Affairs Support Office (NAVSEADET RASO)

This is to acknowledge the receipt of your letter/application dated

10/15/12, and to inform you that the initial processing which includes an administrative review has been performed.

Notification (45-23645-01NA)
There were no administrative omissions. Your application was assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.

Please provide to this office within 30 days of your receipt of this card

A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned **Mail Control Number** 579439.
When calling to inquire about this action, please refer to this control number.
You may call us on (610) 337-5398, or 337-5260.

NRC FORM 532 (RI)
(6-96)

Sincerely,
Licensing Assistance Team Leader