

August 14, 2013

Dr. Robert Cherry, Radiation Safety Staff Officer
U.S. Army Installation Management Command
ATTN: IMSO/301
Building 2261
2405 Gun Shed Road
JBSA Fort Sam Houston, TX 78234-1223

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION STAFF REVIEW OF REVISED
ARMY RADIATION SAFETY PLAN FOR THE ARMY'S HAWAIIAN
INSTALLATIONS (Docket 040-09083)

Dear Dr. Cherry:

In a letter dated June 21, 2013, the U.S. Army (the Army) provided the revised Radiation Safety Plan (RSP) supporting your license application for possession of depleted uranium (DU) on the Army's Hawaiian installations (Agencywide Documents Access and Management System (ADAMS) Accession Number ML13190A264). The Nuclear Regulatory Commission (NRC) staff has reviewed the revised RSP and has identified several minor revisions that will need to be incorporated into the final RSP, and comments that will need to be addressed, before the NRC can issue the license. These revisions and comments are enclosed.

In your letter, you requested that NRC include a new license condition specifying the qualifications for the Licensee Radiation Safety Officer (RSO). You stated that the qualifications should be similar to those for the Jefferson Proving Ground (JPG) RSO. While the RSO qualifications in the JPG license are also appropriate for this license, the NRC staff's goal has been to reduce the number of license conditions to as few as necessary and to incorporate as many requirements as possible in the RSP. Therefore, in order to keep the number of license conditions to a minimum, rather than include the RSO qualifications as a license condition, we request that you include them in the RSP.

In addition, in accordance with commitments made by the Army during meetings to discuss the licensing of the DU, the Army will need to provide the following to NRC:

1. A schedule for the submission of license amendments to include the remaining ranges on the license;
2. A commitment to provide RSPs and other supporting information, such as environmental data, supporting the amendments; and
3. A response to our letter dated June 10, 2013 (ML13157A035), regarding the Army's position on the Cooperative Agreement entitled "Programmatic Agreement (PA) among the United States Army Garrison, Hawaii, the Hawai'i State Historic Preservation Office and the Advisory Council on Historic Preservation for Section 106 Responsibilities for the Army Transformation of the 2nd Brigade, 25 Infantry Division (Light) to a Stryker Brigade Combat Team (SBCT)"

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 electronically for public

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inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions, please contact me at 301-415-6749 or by e-mail at Dominick.Orlando@nrc.gov.

Sincerely,

/RA/

Dominick Orlando, Senior Project Manager
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

Docket No.: 040-09083

Enclosure:
NRC Staff Comments on
Revised Radiation Safety Plan

cc Shirley Xu

R. Cherry

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U.S. Nuclear Regulatory Commission Staff Comments
on Revised Army Radiation Safety Plan

1. Title page – The date of the revised Radiation Safety Plan (RSP) is 21 June 2011 while letter states date of the revised RSP is 21 June 2013. In the final RSP, please ensure that the final RSP is correctly dated so that there is no confusion regarding which version of the RSP is in force at the Hawaiian sites.
2. Page 2.2, first sentence – Please delete the phrase “The NRC allows” and replace it with “No activities are allowed...” to better reflect the manner in which the NRC requirements are implemented.
3. Page 2.2 Section 2.3.2, bullet 11 – The footnote that appeared in the previous version of the RSP is missing. It is not clear why it is not included in this version. Please include the footnote in the final RSP or provide a rationale for its exclusion.
4. Page 2-6 Section 2.4.4 – The RSP states that the Licensee Radiation Safety Officer (RSO) will be notified within 15 days of the change of a Garrison RSO (GRSO) and that the Licensee RSO will inform NRC of the change of a GRSO within 60 days of the notification of the Licensee RSO. This could result in NRC being informed of the change as long as 75 days after the GRSO has changed. Pursuant to the guidance in NUREG-1556 v 11, page 8-21, NRC should be notified within 30 days (total) of the change of GRSO, not the times frames cited in this section. Please revise the RSP to state that the NRC will be informed of the change of a GRSO within 30 days of the change. Note the NRC can be informed by phone or electronically, as long as it is followed by a formal notification of the change in accordance with NRC requirements.
5. Page 2-7 Section 2.6 – It is not clear if documentation of the briefing provided to visitors will be maintained for review during periodic inspections by NRC or during the planned audits the Army. As this documentation is important to demonstrating that the Army is in compliance with the RSP, it is suggested that documentation of the briefings provided to visitors be maintained for review.
6. Page 3-1 Section 3.3 – Section 3.3 pertains to the removal of incidentally identified depleted uranium (DU) fragments. In order to ensure that there is no confusion regarding what activities will be allowed under the license, it is suggested that the RSP refer the reader to the license, specifically the License Conditions pertaining to decommissioning, to ensure that the reader fully understands the restrictions about DU removal.
7. Page 4-1 Section 4.1.1 - Please revise the first sentence to state“...fired into an RCA [Radiation Controlled Area) ~~unless~~ *until* the Licensee RSO has informed the NRC³”. This will ensure that the reader understands that the notification is to occur before the firing of explosives, per the applicable license condition. In addition, it is important to clarify that, until NRC has reviewed and concurred on the results of the air sampling plan that will be required by a license condition, firing of HE (High Explosives) rounds will be subject to the current restrictions NRC has placed on firing HE round into the RCA.

8. Page 4-2 Section 4.3 - Please revise the last sentence of the second paragraph to state "...range personnel ~~should~~ **shall** provide copies...". As currently written, this is not a requirement of the range personnel, and the records discussed directly pertain to radiation safety on the ranges. As the GRISO is responsible for radiation safety on the ranges the GRISO will require this information.
9. Page 4-3 fourth bullet - It is not clear what the term "range reclamation" means and it could be confused with what NRC considers decommissioning, a prohibited practice on the ranges, without NRC approval. Please delete this phrase or provide a definition.
10. Page 4-3 footnote 5 – this footnote appears to contradict the range activities described in this section. NRC and Army staff discussed the need for a definition of a ground disturbing activity in the context of license conditions pertaining to decommissioning (i.e., License Conditions 19, 21 and 23). We suggest that the definition of ground disturbing activities be incorporated in Section 3.3, the section discussing decommissioning, as this may be a more appropriate section to discuss the definition of ground disturbing activity.
11. Page 4-4 Section 4.4.3 – Please revise this section to clarify that, until the NRC staff has reviewed and concurred on the results of the Army's DU removal/efforts on the Battle Area Complex (BAX), activities on the BAX will be conducted in accordance with conditions in previous approvals by NRC for use of the BAX for training.
12. Page 6-1 Section 6.3 last sentence – Please revise the last sentence to state "...subsequent actions are not expected to be necessary." As currently written, the RSP is inconsistent with NRC requirements. In addition, please clarify what activities the Army will undertake in the event a worker informs the Army that she is a declared pregnant worker.
13. Page 11-1 Section 11.1 – Please revise the last sentence in this section to state "...as soon as possible if contamination...." to ensure that, if contamination is discovered, the RSO is notified in a timely manner.
14. Page 12-1 last sentence – During the meeting that occurred on May 30, 2013, the Army committed to evaluating drinking water for the presence of uranium (note this is being done to comply with requirements of the U.S. Environmental Protection Agency's drinking water regulations). As the results of the evaluation of drinking water for uranium is important to demonstrate that uranium is not being introduced into the water supply by the DU on the ranges, it is not clear why drinking water samples results are not going to be provided to NRC. Please revise this section to delete this statement or provide a rationale why the results of drinking water evaluations will not be available for NRC review.
15. Page 16-1 – The last sentence should state "...on the installations shall containers..." to ensure that it is understood that this is a requirement of the RSP.
16. Page 21-1 section 21.1 – The records included in this section should include BAX training records so that NRC staff and Army auditors are able to determine when the BAX was used.

17. Page 23-1 – It is not clear why exit monitoring Standard Operating Procedures (SOPs) will not be developed and maintained. This SOP was included in previous versions of the RSP. Please include this SOP or provide a rationale why it has been deleted.