



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
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Ser N45/16U132344
21 Jan 16

Ms. Orysia Masnyk Bailey
U.S. Nuclear Regulatory Commission
Region I, DNMS
2100 Renaissance Blvd, Suite 100
King of Prussia, PA 19406-2713

**SUBJECT: REQUEST FOR A DELAY IN INITIATION OF DECOMMISSIONING
ACTIVITIES AT NAVAL AIR WARFARE CENTER WEAPONS DIVISION
CHINA LAKE, CONTROL NUMBER 581661**

The Navy's radioactive materials program is licensed with the Nuclear Regulatory Commission (NRC) under Master Materials License (MML) No. 45-23645-01NA. The Navy is requesting a delay in initiation of decommissioning activities for Naval Radioactive Material Permit (NRMP) No. 04-60530-L1NP at Naval Air Warfare Center Weapons Division (NAWCWD) China Lake in accordance with 10 CFR 40.42(f). The delay is requested until the year 2038 as Congress has reserved NAWCWD China Lake's acreage for military use until that time. In the case that Congress permanently designates NAWCWD China Lake property for military use, a request for additional delays will be evaluated and requested at that time. Enclosure (1) provides evidence that a delay in initiation of decommissioning activities will not be detrimental to public health and safety and is otherwise in the best interest of the U.S. Navy and the public.

In order to ensure there is a process for decommissioning review, the Naval Radiation Safety Committee (NRSC) will amend NRMP No. 04-60530-L1NP (DU Munitions Distribution and Storage) to a Y-1 NRMP (Source Material Standby – No Operations) with a renewal date of 10 years vice 2 years. During the renewal periods, the NRSC will re-evaluate the feasibility of decommissioning any or all of the sites listed on the NRMP. If decommissioning of any of the sites is feasible, a decommissioning plan will be submitted to the NRC in accordance with 10 CFR 40.42(d).

This letter cancels the request for an alternate schedule for a decommissioning plan per the Office of the Chief of Naval Operations letter 5104 Serial N45/13U139725 dated 9 August 2013.

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

Sincerely,

D. W. FLETCHER
Commander, Medical Service Corps,
United States Navy
Executive Secretary
Naval Radiation Safety Committee

Enclosure: 1. Evidence that a Delay in the Initiation of Decommissioning Activities Will
Not Be Detrimental to Public Health and Safety

Copy to: Naval Sea Systems Command (04N)
Naval Sea Systems Command Detachment, Radiological Affairs Support Office

EVIDENCE THAT A DELAY IN THE INITIATION OF DECOMMISSIONING ACTIVITIES WILL NOT BE DETRIMENTAL TO PUBLIC HEALTH AND SAFETY

BACKGROUND

NAWCWD China Lakes has held numerous radioactive material licenses issued by the Atomic Energy Commission (AEC) from 1950 until 1974 and from the NRC from 1974 to 1985, authorizing the possession and usage of radioactive materials in support of full-spectrum weapons and warfare systems Research, Development, Acquisition, Testing and Evaluation (RDAT&E). The current licenses were transferred to the Navy's Master Material License (MML) when it was issued by the NRC in 1985. The MML issued an "L" permit to NAWCWD China Lake for depleted uranium (DU) Munitions Distribution and Storage (NRMP 04-68937-LINP) at that time. The NRMP was amended in 2009 to NRMP 04-60530-L1NP due to a change in the command's unit identification code.

SITE DESCRIPTION

NAWCWD China Lake is located in the Western Mojave Desert region of California, approximately 150 miles north of Los Angeles. The installation is the Navy's largest single landholding, representing 85 percent of the Navy's land for RDAT&E use and 38 percent of the Navy's land holdings worldwide. In total, its two ranges and main site cover more than 1.1 million acres, an area larger than the state of Rhode Island. In the midst of World War II, adequate facilities were needed by the California Institute of Technology for test and evaluation of rockets. At the same time, the Navy needed a new proving ground for aviation ordnance. Caltech's Dr. Charles C. Lauritsen and then Commander Sherman E. Burroughs met and formed a pact to find a site that would meet both their needs.

The Navy established China Lake as the Naval Ordnance Test Station (NOTS) in November 1943. Its mission was research, development and testing of weapons, and having additional function of furnishing primary training in the use of such weapons. Testing began within a month of the Station's formal establishment. The vast and sparsely populated desert with near perfect flying weather and practically unlimited visibility, proved an ideal location not only for test and evaluation activities, but also for a complete research and development establishment.

In July 1967, NOTS China Lake and the Naval Ordnance Laboratory in Corona, California, became the Naval Weapons Center. The Corona facilities were closed and their functions transferred to the desert in 1971. In July 1979, the mission and functions of the National Parachute Test Range at Naval Air Facility El Centro were transferred to China Lake. In January 1992, the Naval Weapons Center and the Pacific Missile Test Center Point Mugu were disestablished and joined with naval units at Kirtland Air Force Base in Albuquerque and at the White Sands Missile Range at White Sands, New Mexico as a single command - the Naval Air Warfare Center Weapons Division of the Naval Air Systems Command (NAVAIR). At the same time, the physical plant at China Lake was designated as a Naval Air Weapons Station and became host of the NAVAIR Weapons Division, performing the base-keeping functions.

The base's role in the community evolved from that of primary landlord and provider of services to that of a good neighbor. The NAWCWD housing area, much smaller than that of the 1960s, is sufficient to support the base's military. In 1982 the community area of China Lake including most of base housing was annexed by the City of Ridgecrest. In 2013, Congress reserved China Lake's acreage for military use for an additional 25 years. In 2014 U.S. Rep. Kevin McCarthy of California introduced a bill to permanently designate Naval Air Weapons Station China Lake property for military use, arguing it would save taxpayer money and enhance the base's mission. The bill would add 25,000 acres, including about 7,500 acres that were part of a bombing range in San Bernardino County, as well as 19,000 acres along the station's southwest boundary.

In order to demonstrate that delaying the start of decommissioning will not be detrimental to public health and safety, the following information is provided:

a. RASP program compliance inspections of NRMP No. 04-60530-LINP, for depleted uranium (DU) munitions distribution and storage, indicate that NAWCWD China Lake has complied with U.S. Navy's regulatory requirements. Periodic inspections and continued permitting actions will ensure continued compliance.

b. The permittee has developed, documented, and implemented a radiation health and safety protection program commensurate with the scope and extent of permitted activities and sufficient to ensure compliance with the provisions of 10 CFR 20.1101. This ensures that public health and safety will be protected during the delay period. The following health and safety plan elements will be in effect during the extension period:

(1) Operating procedures have been developed for the handling, movement, storage, security, accountability and disposal of permitted radioactive materials. Operations for the use of any of the permitted radioactive material are prohibited. Emergency procedures have been developed covering potential casualty scenarios (e.g., contamination spread, theft, loss of material, etc.). The command will ensure that a radiation safety emergency drill is conducted annually that will include participation by the Fire Department and other emergency response personnel to ensure that Radiological Affairs Support Program workers, radiation safety personnel, emergency responders, and other personnel are familiar with their roles and responsibilities during emergency situations.

(2) NAWCWD China Lake is a military facility with controlled access and active federal security that prevents unescorted public access to any of the ranges containing depleted uranium (DU). The ranges are divided into 19 land use management units. All known and suspected DU target or test sites are within the George, Charlie, Baker, Airport Lake, and the Ordnance Test and Evaluation Ranges. The radiation safety staff at NAWCWD China Lake has physical custody and control of all of the ranges known to have been used for licensed DU operations. The command has also identified, surveyed, plotted and documented known or suspected DU impacted sites listing the testing location, range, license or NRMP used for the test, DU test article, area designation, range status, and high explosives usage for that area. The NRMP has also been amended to include legacy areas that were not on the commands original NRMP application.

(3) Only individuals who have received training from the Radiation Safety Officer (RSO), Assistant Radiation Safety Officer (ARSO) or an RSO designated trainer and have been authorized by the RSO, are allowed unescorted access into contaminated range areas. Personnel are required to check in with Range Control by radio or telephone when entering, leaving or moving from one location to another within the range. Personnel, equipment, and articles leaving or being removed from contaminated DU ranges are surveyed for contamination to assure that contamination does not become a public or worker health and safety issue. Personnel must also attend radiation safety training and briefings prior to entering any range containing DU munitions and fragments. The efficacy of this training has been seen via the knowledge exhibited by the range personnel during site inspections.

(4) The permittee has committed to performing semi-annual compliance audits and an annual program review of the radiation safety program until the NRMP is terminated.

(5) The permittee uses procedures and engineering controls based upon sound radiation protection principles to achieve occupational doses and doses to members of the public that are as low as is reasonably achievable (ALARA). The command has performed extensive baseline radiological surveys of all DU contaminated ranges to ensure compliance with public dose limits. Members of the public are not authorized to handle or move DU materials located on the active ranges.

In order to demonstrate that delaying the start of decommissioning is otherwise in the best interest to the U.S. Navy and the public, the following information is provided:

a. All of the ranges covered under the NRMP are operational military ranges in support of engineering and fleet support for of U.S. Navy and the Department of Defense (DoD) naval aviation platforms, weapons and systems. The U.S. Navy and DoD reserve the right under U.S. Code Title 10, Section 101(e)(3), to utilize these ranges for future needs of the national defense industry. Prior to any decommissioning activities, all of the ranges will need to be cleared of any non-exploded ordnance.

b. Postponing the initiation of decommissioning activities will not result in the spread of DU contamination by airborne or waterborne pathways. DU contamination exists mainly as insoluble uranium oxides or fragments. The annual rainfall for China Lake is approximately one to three inches per year. Studies suggest a low probability for DU migration.

c. All of the contaminated sites are outdoor ranges with the majority of the land undeveloped and for exclusive military use for the foreseeable future. The sites provide habitat to 675 plant species, 1833 species of arachnids and insects and to date 465 species of vertebrates. There are three endangered species: the Mohave tui chub, the desert tortoise, and the Inyo California towhee. Included in the habitat are also five threatened species and nine unusual species. Due to the conservation efforts, any remediation of the sites will need detailed environmental studies prior to any cleanup activities to ensure compliance with the California Desert Protection Act of 1994.

d. NAWCWD China Lake is currently completing a Historical Radiological Assessment (HRA) documenting the use of DU and DU munitions for AEC and NRC licensed activities prior to the establishment of the MML. Estimated completion of the HRA is September 2016. Finalization of these sites is essential to the planning and execution of any future decommissioning activities.

e. Adequate financial assurance for the ultimate decommissioning of the site has been established and submitted to the NRC per Office of the Chief of Naval Operations letter 5090 Serial N455/14U132812 dated 17 November 2014.