



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

June 22, 2017

**MEMORANDUM TO:** Stephen Koenick, Chief  
Materials Decommissioning Branch  
Division of Decommissioning, Uranium Recovery,  
and Waste Programs  
Office of Nuclear Material Safety and Safeguards

**FROM:** Dominick A. Orlando, Senior Project Manager */RA/*  
Materials Decommissioning Branch  
Division of Decommissioning, Uranium Recovery,  
and Waste Programs  
Office of Nuclear Material Safety and Safeguards

**SUBJECT:** MEETING SUMMARY – TECHNICAL MEETING TO DISCUSS  
THE DECOMMISSIONING OF THE WESTERN NUCLEAR  
INCORPORATED SITE IN JEFFREY CITY, WYOMING  
(Docket 040-01162)

On May 24, 2017, staff of the U.S. Nuclear Regulatory Commission (NRC) held a public meeting and teleconference with representatives of Western Nuclear Incorporated (WNI) at NRC headquarters in Rockville, Maryland. The purpose of the meeting was to continue discussions regarding an approach to resolving the issues associated with exceedances of the Alternate Concentration Limits for nitrate at the Split Rock site. Staff from the U.S. Department of Energy (DOE), Office of Legacy Management, Wyoming Department of Environmental Quality and Navarro, Inc., the Legacy Management contractor for the DOE participated in the meeting. The meeting was noticed on the NRC's Public Meeting webpage on May 9, 2017. The meeting attendee list is enclosed.

**DISCUSSION ITEMS AND KEY POINTS**

1. NRC staff provided their preliminary conclusion regarding the new groundwater modeling approach for the Split Rock site:

**CONTACT:** Dominick Orlando, NMSS/DUWP  
301-415-6749

- a. The staff has preliminarily concluded that the model is conservative and provides a reasonable basis to determine that the nitrate should not pose a threat to health and safety or the environment now or in the future. As such, the Alternate Concentration Limit requested by WNI appears to be acceptable. The NRC staff's evaluation will be described in detail in a Safety Evaluation Report supporting the review of the License Amendment request (Agencywide Documents Access and Management System [ADAMS] Package Accession Number ML16328A410);
  - b. The model appears to provide an adequate basis for the NRC staff to conclude that other Constituents of Concern (CoCs) at the site will not pose a threat to health and safety and the environment now or in the future;
2. The Institutional Controls (ICs) for the property within the proposed Long-term Surveillance Boundary (LTSB) appear to be adequate because they would convey the land and water rights owned by WNI to the DOE, impose restrictions on groundwater use on property within the LTSB that is not owned by WNI and will not be transferred to the DOE, or the property and water rights are already owned by the US Government.
  - a. In one area of the site that will be included within the Long-term Care Boundary (in Section 36, south of the Sweetwater River on the map provided in the License Amendment request), the State of Wyoming owns the mineral rights. The DOE has stated that it is acceptable for the State of Wyoming to own the mineral rights because the area is sufficiently removed from the disposal cell such that if mineral development were to occur it would not impact the integrity of the cell (ADAMS Accession Number ML071500152).
3. The figure included in the License Amendment request does not appear to accurately portray the hydrogeological conditions or the flow paths at the site. WNI will update the figure and indicate the modeled CoC plume on the new figure.
4. It is not clear if the Wyoming State Engineer's Office is aware of the ICs on the property. WNI will provide the Wyoming State engineer with information regarding the ICs in the event a well permit in the area of the site is requested.
5. The extent and condition of the fencing at the site is unclear. A site visit by the DOE was discussed and should be arranged in the future.
6. NRC stated that the review of the license amendment request (including environmental review) would take about 6 months.
7. DOE indicated that it would begin the development of the updated Long-Term Surveillance Plan (LTSP) for the site when the revised figure was provided by WNI. DOE stated that the development of the revised LTSP would take about 3 months. DOE also stated that it could not engage the US Army Corps of Engineers (COE) to begin the real property work associated with transferring the land from WNI until the updated title documentation was provided by WNI. DOE stated that typically, the COE activities take about 6 months.

8. DOE stated that the LTSP could not be finalized until the COE had completed its real property evaluation.
9. NRC, DOE and WDEQ stated that, as of the end of the meeting, they did not have any outstanding issues, other than those discussed above related to the decommissioning of the site.

ACTION ITEMS (does not include all NRC or DOE actions necessary for license termination and transfer to the DOE):

**NRC**

Determine if a publicly noticed meeting (sidebar) to discuss the long term ground water monitoring and long term surveillance fee can be held during the June National Mining Association meeting.

Set up monthly conference calls with WNI, DOE and WDEQ to discuss the status of license termination actions.

**WNI**

Update Figure 2, "Transport Flowpath," included in the License Application with equipotential lines using current data and a flowpath perpendicular to the equipotential lines. An additional figure will be created to overlay the modeled CoC plume along the revised flowpath. WNI indicated this could be completed within about a week.

Provide the Wyoming State engineer with information regarding the ICs in the event a well permit is requested in the area of the site. Provide copies to DOE, NRC and WDEQ.

**DOE**

Arrange and conduct a site visit to review fencing and other site conditions.

**WDEQ**

None

Docket No. 040-01162  
License No. SUA-56

Enclosure:  
Meeting Attendee List

S. Koenick

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(Docket 040-01162) DATE June 22, 2017

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**ADAMS Accession No.:**

**ML17145A425**

**\*by email**

<b>OFFICE:</b>	DUWP	DUWP	DUWP	OGC*	DUWP	DUWP
<b>NAME:</b>	D. Orlando	C. Holston	M. Meyer	A. Gendelman	S. Koenick	D. Orlando
<b>DATE:</b>	5/30 /17	5/31/17	6/01/17	6/09/17	6/19/17	6/22/17

**OFFICAL RECORD COPY**

**WESTERN NUCLEAR INCOPORATED MEETING/TELECONFERENCE ATTENDEE LIST**  
**May 24, 2017**

U.S. Nuclear Regulatory Commission  
Stephen Koenick, MDB/DUWP/NMSS  
Matthew Meyer, MDB/DUWP/NMSS  
Dominick Orlando, MDB/DUWP/NMSS  
Adam Gendelman, OGC/GCLR/RMR  
Robert Evans, RIV/DMNS/FCDB (by phone)  
Linda Gersey , RIV/DNMS/FCDB (by phone)

Western Nuclear Incorporated (WNI)  
Harley Shaver  
Christopher Pugsley  
Anthony Thompson  
Lawrence Corte (by phone)  
Louis Miller

Wyoming Department of Environmental Quality (by phone)  
Don Fischer  
Ursula Williams  
Brandy O'Brien  
David Adams

U.S. Department of Energy (by phone)  
Mark Kautsky

Navarro, Inc. - contractor to the Department of Energy (by phone)  
Steve Hall  
Laura Cummins  
Rich Zinkel  
Al Wassie

ENCLOSURE