



## MEMORANDUM

**DATE:** May 30, 2017

**TO:** R. Pond, J. Douthit, B. Kelly

**FROM:** M. Griffin

**RE:** SERP 17-6, Review and Approval of Technical Report As-Built Update

### **A: Discussion**

The Nuclear Regulatory Commission (NRC) Source Material License SUA-1601 License Condition (LC) 9.4(A) allows for a Safety and Environmental Review Panel (SERP) to determine if any proposed changes, tests, or experiments can be made without obtaining a license amendment. Strata Energy, Inc. (Strata) has prepared an as-built update of the Technical Report portion of the approved license application. Since this document is incorporated by reference in the "tie-down" condition of SUA-1601 (i.e., License Condition 9.2) and Strata is required to maintain an updated application on site, Strata determined that the proposed changes should be reviewed by the SERP to determine whether any required a license amendment.

A SERP was convened on May 30, 2017 to review the proposed changes to the NRC License Application Technical Report (TR). Strata completed a thorough review of the TR and determined that as-built conditions required revisions to a number of sections to ensure an updated application was maintained. In order to facilitate the review by the SERP, Strata prepared a red-lined version of each section in Word format and a final Adobe PDF version. A copy of the redline and final versions are attached to this SERP. The sections identified for necessary changes were Sections 3, 4, 5, 6, and 7. In addition, the following figures were updated:

- 3.1-1
- 3.1-8
- 3.1-9
- 3.1-10
- 3.1-16
- 3.1-18 sheet 1 and 2
- 3.2-1
- 3.2-2
- 4.2-1 sheet 1 and 2
- 5.7-1
- 5.7-2
- 5.7-4
- 5.7-5
- 5.7-8
- 5.7-9

5.7-13

The following summarizes the SERP review of the draft redline changes and figures for each section:

### Section 3, Description of Proposed Facility

The redline version of Section 3 was reviewed by the SERP. The following additional changes or clarifications were identified:

- In the discussion of production bleed range and average, add reference to the relevant requirement in License Condition 10.7 that the purpose of the production bleed is to maintain a net inward hydraulic gradient at the perimeter monitor wells.
- Section 3.1.8.2, update discussion of CBW dewatering (i.e., none required to date).
- Section 3.2.1, update production pressure range at the CPP to include a high pressure of 125 PSI.
- Review and recommend updates to Figures 3.1-8, 3.1-9, and 3.1-10 to reflect recent alternate construction methods (Jay Douthit).
- Figure 3.1-18, remove Draft label (Beth Kelly).

### Section 4, Effluent Control Systems

The redline version of Section 4 was reviewed by the SERP. The following additional changes or clarifications were identified:

- Section 4.2.1.2.3, update hazardous waste determination status.

### Section 5, Operations

The redline version of Section 5 was reviewed by the SERP. The following additional changes or clarifications were identified:

- Section 5.1.4, correct the Production Superintendent title in one instance.
- Section 5.3.1.2, add designee for Production Superintendent for weekly inspections. The SERP discussed that this should be the VP of Operations whenever possible.
- Revise “surface water station” to “surface water location” in several instances to prevent confusion regarding monitoring equipment.
- Update the Organization Chart to reflect current organization of supervisory staff that are not related to the RSO chain of command (Mike Griffin).
- Figure 5.7-4, correct restricted area boundary (Mike Griffin through TREC)
- Figure 5.7-8, update (Beth Kelly).

### Section 6, Groundwater Restoration, Surface Reclamation, and Facility Decommissioning Plan

The redline version of Section 6 was reviewed by the SERP. No additional changes were identified.

### Section 7, Potential Environmental Impacts

The redline version of Section 7 was reviewed by the SERP. No additional changes were identified.

## **B: Applicable Sections of the License Application (Technical Report) and Applicable License Conditions**

The affected sections of the Technical Report with proposed updates are listed above.

The review of NRC Materials License SUA-1601 shows that the following license conditions pertain in whole, or part, to an update of the TR:

LC 9.2 – Tie-down Condition incorporating the TR by reference; requiring that an updated version of the application be maintained on site; and requiring that where the words “will” or “shall” are used in the TR, these denote a requirement.

## **C: Discussion of Commitments**

SERP actions routinely result in changes to the TR. License Condition 9.4(E) requires that Strata annually submit to the NRC page changes to the approved application as a result of SERP actions. Beginning in 2015, the Strata SERP has reviewed numerous proposed changes that affected the TR. Each SERP approved changes to the TR as appropriate for the change or test that was reviewed and approved. However, the TR contained detailed descriptions of the proposed Ross facility that ultimately vary from the as-built facility. These as-built updates were discussed during the preoperational inspection with NRC inspectors and it was determined that the proper approach would be to complete a thorough update of the TR to reflect as-built conditions and have the SERP review the proposed update to ensure no change would require an amendment to SUA-1601.

## **D: Assessment with License Condition 9.4**

A) The licensee may, without obtaining a license amendment pursuant to 10 CFR 40.44, and subject to conditions specified in (B) of this condition:

i Make changes in the facility as described in the license application (as updated);

**The proposed changes to the license application were reviewed by the SERP to ensure that the proposed activities are consistent with the commitments outlined in the applicable documents.**

ii Make changes in the procedures as described in the license application (as updated);

**Not applicable.**

iii Conduct tests or experiments not described in the license application (as updated).

**Not applicable.**

B) The licensee shall obtain a license amendment pursuant to 10 CFR 40.44 prior to implementing a proposed change, test, or experiment if the change, test, or experiment would:

i. Result in more than a minimal increase in the frequency of occurrence of an accident previously evaluated in the license application (as updated);

**The proposed changes would not increase the frequency of an accident.**

ii Result in more than a minimal increase in the likelihood of occurrence of a malfunction of a facility structure, equipment, or monitoring system (SEMS) important to safety previously evaluated in the license application (as updated);

**The proposed changes would not increase the likelihood of a malfunction of a SEMS.**

iii Result in more than a minimal increase in the consequences of an accident previously evaluated in the license application (as updated);

**The proposed changes would not increase the consequences of an accident.**

iv Result in more than a minimal increase in the consequences of a malfunction of an SEMS important to safety previously evaluated in the license application (as updated);

**The proposed changes would not increase the consequences of a malfunction of an SEMS important to safety.**

v Create a possibility for an accident of a different type than any previously evaluated in the license application (as updated);

**The proposed changes would not create a possibility for an accident of a different type than any previously evaluated.**

vi Create a possibility for a malfunction of an SEMS important to safety with a different result than previously evaluated in the license application (as updated);

**The proposed changes would not create a possibility for a malfunction of an SEMS important to safety with a different result than previously evaluated.**

vii Result in a departure from the method of evaluation described in the license application (as updated) used by the NRC in establishing the final safety evaluation report (FSER), environmental impact statement (EIS), environmental assessment (EA), technical evaluation reports (TERs), or other analyses and evaluations for license amendments.

**The proposed changes would not result in a departure from the method of evaluation described in the license application (as updated) used by the NRC.**

For purposes of this paragraph as applied to this license, SEMS important to safety means any SEMS that has been referenced in a staff SER, TER, EA, or EIS and supplements and amendments thereof.

C) Additionally, the licensee must obtain a license amendment unless the change, test, or experiment is consistent with NRC's previous conclusions, or the basis of, or analysis leading to, the conclusions of actions, designs, or design configurations analyzed and selected in the site or facility SER, TER, and EIS or

EA. This would include all supplements and amendments, and SERs, TERs, EAs, and EISs issued with amendments to this license.

**The proposed changes to the license application are consistent with those reviewed and approved by the NRC in the SER and FEIS and will not result in any activities which would increase the impact to the environment.**

**A license amendment is not required as the change is consistent with NRC's previous conclusions, basis and analysis.**

**E. SERP Committee**

The SERP committee consisted of:

Mike Griffin – VP, PREC	(Management)
Royal Pond- Manager HSE/RSO	(Radiation Safety)
Jay Douthit – VP, Operations	(Operations and Construction)
Beth Kelly – WWC Engineering Associate Chemical Engineer	(Consulting Engineer)

**F. Summary of SERP Committee Meeting**

The SERP met on May 30, 2017 at the Strata administration building in Oshoto, Wyoming to evaluate the proposed revision of the TR. Mike Griffin acted as the secretary and recorded notes from the meeting. The committee discussed the proposed changes described above. The SERP determined that the changes noted in section A above need to be completed before the as-built Technical Report can receive SERP approval. Most changes were minor and were made during the SERP review or can be completed in a short period of time. Once the recommended changes are made, the final revised versions will be distributed and the SERP will approve the changes at that time by signature below.

**G. Summary/Conclusions**

In accordance with the SERP Committee meeting it was determined that a license amendment from the NRC is not required to approve the as built revision to the TR and accordance with License Condition 9.4 the changes can be implemented.

**H. Approval/ Signatures**

Mike Griffin (VP, PREC)		Date <u>May 30, 2017</u>
Royal Pond (Manager HSE/RSO)		Date <u>May 30, 2017</u>
Jay Douthit (VP, Operations)		Date <u>May 30, 2017</u>
Beth Kelly (WWC Engineer)		Date <u>May 30, 2017</u>

