



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

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2 Aug 19

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

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

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The U.S. Navy's radioactive materials program is licensed with the Nuclear Regulatory Commission (NRC) under Master Materials License (MML) No. 45-23645-01NA. The Navy previously requested a delay in the 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 U.S. Navy is formally withdrawing the request for a delay in the initiation of decommissioning activities for NRMP No. 04-60530-L1NP at NAWCWD China Lake based on your recommendation from June 19, 2019, made during the NRC biennial inspection of the Navy's MML. The U.S. Navy understands that pending guidance in NUREG-1556 Volume 20, Consolidated Guidance About Materials Licenses: Guidance About Administrative Licensing Procedures, will allow for the licensing of depleted uranium contaminated sites under a license category of "Possession Only – Permanent". The U.S. Navy intends to pursue the change in license category option in lieu of initiating decommissioning activities. 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.

This letter cancels the request for an alternate schedule for a decommissioning plan per the Office of the Chief of Naval Operations letters 5090 Serial N45/16U132344 of January 21, 2016 and 5090 Serial N45/16U132496 of December 21, 2016.

REC'D IN LAT 8/19/19

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If you have additional questions, please do not hesitate to contact me via telephone at
(703) 695-5508 or through electronic mail at jerry.n.sanders@navy.mil.



J. N. SANDERS, JR.
By direction

Enclosure: 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 (SEA 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

1. Background.

Naval Air Warfare Center Weapons Division (NAWCWD) China Lake has held numerous radioactive material licenses issued by the Atomic Energy Commission (AEC) from 1950 until 1974, and from the Nuclear Regulatory Commission (NRC) from 1974 to 1985, authorizing the possession and use of radioactive materials in support of full-spectrum weapons and warfare systems research, development, acquisition, testing, and evaluation (RDAT&E). The licenses were transferred to the Navy's Master Materials License (MML) when it was issued by the NRC. 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 Naval Radioactive Material Permit (NRMP) was amended in 2009 to NRMP 04-60530-L1NP due to a change in the command's unit identification code.

2. 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.

All of the contaminated sites are outdoor ranges with the majority of the land undeveloped and designated 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; also included in the habitat are five threatened species and nine unusual species. There are three endangered species: the Mohave tui chub, the desert tortoise, and the Inyo California towhee. 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.

3. 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. Radiological Affairs Support Program (RASP) program compliance inspections of NRMP No. 04-60530-LINP, for DU munitions distribution and storage, show 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 is 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:

Enclosure (1)

(1) Operating procedures have been developed for the handling, movement, storage, security, accountability, and disposal of permitted radioactive materials. Emergency procedures have been developed covering potential casualty scenarios (e.g., contamination spread, theft, loss of material, etc.).

(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 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 control of all of the ranges known to have been used for licensed DU operations. The command has also identified, and documented known or suspected DU impacted sites and has listed the status and its conditions. The NRMP was amended to include legacy areas that were not on the command's original NRMP application.

(3) Only individuals who have received training from the Radiation Safety Officer (RSO), Assistant RSO 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 tested and proven by 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.

4. 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 unexploded ordnance.

Enclosure (1)

b. Postponing the initiation of decommissioning activities will not result in the spread of DU contamination by airborne or waterborne pathways as DU contamination exists mainly as insoluble uranium oxides or fragments that make suspension in air highly unlikely, and the annual rainfall for China Lake is approximately one to three inches per year, similarly making water transport highly unlikely.