


ATLAS CORPORATION | 

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January 12, 1990

Director
Office of Enforcement
U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, D.C. 20555

Re: Source Material License No. SUA-917
Docket No. 40-3453; EA No. 89-110
Reply to December 7, 1989 Letter

Dear Sir:

This is in response to the request for clarification dated December 7, 1989, and received by Atlas on December 11, 1989, from Mr. Robert A. Martin. Mr. Martin was responding to Atlas' letter dated November 3, 1989 concerning NRC's Notice of Violation and Proposed Imposition of Civil Penalty dated October 5, 1989.

We provide the following information and data in response to your request. As we noted in Atlas' November 3, 1989 letter and attachments thereto, Sample Point S2 is located near the property boundary, but within the restricted area. Therefore, the location satisfies the criterion of Regulatory Guide 4.14 that the sampling point be "near the site boundaries." Absent any better indication, it is understandable that the NRC would use the data from this sample point location in its environmental evaluation. The point made in our November 3, 1989 letter, however, was that data collected from this location--which absent additional data may be considered representative of concentrations released to unrestricted areas--cannot serve as a basis for an enforcement action where data from two more indicative sampling points confirm that MPC values within the unrestricted area were not exceeded.

As stated in our reply of November 3, 1989, the first additional sampling point is located immediately across the Colorado River from S2, at a point just within the unrestricted

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area. These data were obtained (at the recommendation of NRC staff) for the specific purpose of determining whether Radon-222 concentrations within the closest accessible area to S2 not controlled by the licensee complies with the MPC. The distance between S2 and this additional data point is approximately 1150 feet, which, as noted in our November 3 submission, is occupied by the Colorado River. The river is only used by rafters who pass by momentarily, thus avoiding any threat of "exposure" as that term is used in 10 C.F.R. § 20.3 (a)(14) (1989). In light of the existence of this "buffer zone," data from this sampling point can be considered truly representative of unrestricted area concentrations.

The data obtained at the sample point across the river are compared to data obtained from S2 in the table shown below:

Comparison of Radon-222 Results - S2 v. Point Across River (pCi/l)

<u>Sample Period</u>	<u>Across River</u>	<u>S2</u>
4th Qtr. 1987	1.5	9.6
2nd Qtr. 1988	1.0	5.7
3rd Qtr. 1988	0.9	5.1
August 1989	0.5	2.7
September 1989	2.8	4.1
October 1989	1.7	10.1
November 1989	2.1	6.9

This confirms that concentrations of Radon-222 at this sample boundary were below the MPC.

The second additional point referenced in our November 3 letter, Sampling Point S1, is identified in Atlas' 1984 application for license renewal as being "...at the Northeast property boundary and downwind from the predominant wind direction... S1 is at the property boundary of the nearest residence...." Thus, since Sample Point S1, unlike S2, borders on an area which is truly uncontrolled by the licensee, the results from S1 are more representative of concentrations released to unrestricted areas than those from S2. The readings taken from S1 during the period in question--which have already been provided to the NRC--did not exceed the MPC for Radon-222.

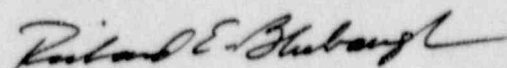
In short, Atlas' position on this point can be clearly and simply stated: The most indicative data available to Atlas and the NRC demonstrate that Radon-222 concentrations in the unrestricted area did not exceed the MPC during the subject period. Data from

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S1 and from across the river are more than sufficient to offset and counterbalance any suggestion of an exceedance arising from data from Sample Point S2.

Please contact us with additional questions or if further information is needed pertaining to this matter.

Sincerely,



Richard E. Blubaugh
Vice President
Regulatory and Environmental
Affairs

cc: Robert D. Martin
Regional Administrator
Region IV, U.S. Nuclear
Regulatory Commission
Roger Freeman, Esq.
Davis Graham & Stubbs