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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

December 23, 1993

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James P. Gleason, Presiding
Officer
Administrative Judge
Atomic Safety & Licensing
Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Jerry R. Kline, Special Assistant
Administrative Judge
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

In the Matter of
SEQUOYAH FUELS CORPORATION
Source Material License No. SUB-1010
Docket No. 40-08027-MLA

Dear Administrative Judges:

On December 2, 1993, I forwarded a copy of the NRC staff's November 29, 1993 letter to Sequoyah Fuels Corporation (SFC) regarding SFC's request for revision of its proposed schedule for submission of the Site Characterization Plan. Unfortunately, the second page of the staff's letter was inadvertently omitted. Enclosed please find a copy of the complete letter.

Also enclosed please find a copy of the staff's November 26, 1993 letter to SFC concerning the staff's review of the preliminary plan for completion of decommissioning, which was inadvertently not attached to my letter to the Board of December 9, 1993.

I apologize for any inconvenience to the Board and parties.

Sincerely,

Susan L. Uttal
Counsel for NRC Staff

Enclosure: As stated

cc w/encl.: Maurice Axelrad, Esq.
Diane Curran, Esq.
James G. Wilcoxon, Esq.
Brita Haugland-Cantrell, Esq.

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

NOV 23 1993

Docket No. 40-8027
License No. SUB-1010

Mr. John H. Ellis
President
Sequoyah Fuels Corporation
P.O. Box 610
Gore, Oklahoma 74435

Dear Mr. Ellis:

SUBJECT: SCHEDULE FOR SUBMITTAL OF THE SEQUOYAH FUELS CORPORATION SITE CHARACTERIZATION PLAN

This is in response to your letter dated August 19, 1993, in which you proposed a schedule for the submittal of the Sequoyah Fuels Corporation (SFC) facility Site Characterization Plan to the Nuclear Regulatory Commission that is different from the schedule provided in Section 9 of your Preliminary Plan for Completion of Decommissioning (PPCD). The reason for revising your schedule was stated to be that SFC had entered into a Consent Order Agreement with the Environmental Protection Agency (EPA), and that additional time would be required to meet the requirements for a similar characterization plan for EPA.

The EPA Consent Order appears to provide a schedule to meet the needs of both federal agencies. In order to facilitate efficiencies in the remediation of the SFC site, the NRC staff has no objection to SFC submitting a site characterization plan on the schedule in the EPA Consent Order (i.e., by January 31, 1994). However, consistent with the Site Decommissioning Management Plan process, please submit a license amendment request to reflect decommissioning activities, including milestones for submittals consistent with the schedule specified in the RCRA Consent Order. The request should also include ground water monitoring, all activities SFC is currently conducting as authorized by the current license, and any additional actions in which SFC expects to engage prior to submission of the decommissioning plan. Note that as activities progress, NRC expects further amendments to this license to be needed periodically to reflect the contemporary state of activities at the site.

The PPCD, in addition to providing a schedule for the submittal of a site characterization plan, provides a series of proposed steps leading to license termination. The PPCD is currently under NRC review, and a response will be forwarded to you regarding that document in a separate letter.

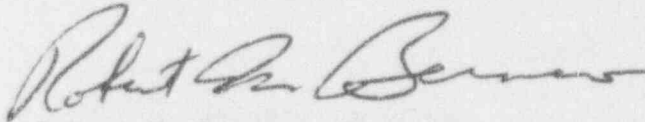
~~93-2080127~~

John H. Ellis

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If you have any questions, please contact John H. Austin of my staff at (301) 504-2560.

Sincerely,



Robert M. Bernero, Director
Office of Nuclear Material Safety
and Safeguards

cc: Diane Curran, Esq.
Maurice Axelrad, Esq.
Brita Haugland-Cantrell, Esq.
James Wilcoxon, Esq.
Allyn Davis
Susan Uttal, Esq.



UNITED STATES
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WASHINGTON, D. C. 20555-0001

NOV 26 1993

Docket No. 40-8027
License No. SUB-1010

Mr. John H. Ellis
Sequoyah Fuels Corporation
P.O. Box 610
Gore, Oklahoma 74435

Dear Mr. Ellis:

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION STAFF'S REVIEW OF THE SEQUOYAH
FUELS CORPORATION'S PRELIMINARY PLAN FOR COMPLETION OF
DECOMMISSIONING

By letter to me dated February 16, 1993, in response to a Demand for Information, the Sequoyah Fuels Corporation (SFC) transmitted its Preliminary Plan for Completion of Decommissioning (PPCD), for its Sequoyah Facility at Gore, Oklahoma. The PPCD is a scoping document for the development of a Site Characterization Plan (SCP), a Results Report, the design of an on-site disposal cell, and a site stabilization plan. In this letter, the Nuclear Regulatory Commission staff has limited its comments on the PPCD to the SCP because the evaluation of the other aspects of the PPCD will all depend on the results contained in a site characterization report and the Environmental Report discussed below.

The NRC staff expects SFC's SCP to contain plans for characterizing all areas of the site where licensed activities occurred, and a plan for characterizing all areas possibly affected by the licensed activities, including off-site areas. The SCP should clearly identify the methods to be used to characterize all existing site conditions at the Sequoyah Facility such as: 1) the extent of all contamination within and around the site; 2) the physical characteristics of the site; and 3) hazardous chemical contamination commingled with licensed material. The guidance in NUREG/CR-5849, "Manual for the Conducting Radiological Surveys in Support of License Termination" may be helpful during the development of the SFC SCP. The staff is prepared to work with SFC in further defining the scope and content of the SCP.

The decommissioning activities outlined in the PPCD entail a decommissioning alternative that significantly departs from past staff practices and could lead to significant exposures under human intrusion scenarios at some time in the future. Preliminary review of the proposed disposal alternative indicates implementation requires an exemption from the unrestricted release requirement of 10 CFR 40.42(f). Further, authorizing a decommissioning alternative with significant onsite disposal of radioactive waste would be considered a major Federal action affecting the quality of the human environment. Consequently, SFC must submit an Environmental Report (ER) in accordance with 10 CFR 51.60. The ER submitted by SFC must provide the information specified in 10 CFR 51.45.

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Mr. John H. Ellis

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Because SFC has notified NRC that they intend to decommission the facility and seek license termination, SFC must follow, in a timely fashion, the requirements specified in 10 CFR 40.42(c)(1)(i) through (v).

If you have any questions, please contact Dr. John H. Austin of my staff, at (301) 504-2560.

Sincerely,

Original signed by
Robert M. Bernero

Robert M. Bernero, Director
Office of Nuclear Material Safety
and Safeguards

cc: Maurice Axelrad, Esq.
Diane Curran, Esq.
Brita Haugland-Cantrell, Esq.
James Wilcoxon, Esq.
Allyn Davis
Susan Uttal, Esq.