



UNITED STATES
NUCLEAR REGULATORY COMMISSION

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Mr. Albert R. Chernoff, Project Manager
Uranium Mill Tailings Remedial Action
Project Office
U. S. Department of Energy
Albuquerque Operations Office
P. O. Box 5400
Albuquerque, New Mexico 87185-5400

Dear Mr. Chernoff:

The U.S. Nuclear Regulatory Commission staff has completed its review of the U.S. Department of Energy's (DOE's) Burrell, Pennsylvania Vicinity Property (VP) (CA-200) Completion Report (CR) and other pertinent supporting material received up to January 6, 1994. Based on its review of the CR and all associated documentation, the NRC staff is prepared to concur that remedial action at the Burrell site, as completed by DOE, complies with the provisions of the Radiological and Engineering Assessment (REA), REA modifications, and the U.S. Environmental Protection Agency (EPA) standards in 40 CFR Part 192. This concurrence will be executed and a final Completion Review Report will be sent upon DOE's submittal of the final copy of the CR and accompanying signature pages.

Since the completion report review process for the Burrell site has been long and complicated, we feel it appropriate to document its history herein. A draft CR was provided by DOE for NRC review in July 1988. Progress on the review of DOE's determination of completion was initially delayed, because the specific supplemental standards in the REA had not been explicitly identified by the DOE. Supplemental standards, consisting of work practice standards and reliance on long-term, multi-faceted monitoring, were proposed, and the NRC staff subsequently concurred with the application of these supplemental standards, in lieu of the EPA primary standards of Subpart A in 40 CFR Part 192.

In the meantime, DOE transmitted, with its letter dated December 1, 1988, a certification package as evidence of completion of all remedial action at the Burrell VP site. The package included the August 1988 version of the combined final CR and final Audit Report, and the DOE Certification Summary. Additional delay occurred, because NRC and DOE staff were negotiating a streamlining agreement during 1988 and 1989, which would in part have significantly changed the completion concurrence mechanism for the Uranium Mill Tailings Remedial Action (UMTRA) Project. During this process, completion report reviews, including the Burrell CR, were put on hold. However, NRC notified DOE by its letter dated September 19, 1989, that the completion reviews would resume without the benefit of the streamlining process in this area.

Although there was no longer a hold on CR reviews, the Burrell CR was not reviewed for many months due to priorities established by DOE. Remedial Action Plans for many of the sites were given higher priority. When the review was resumed, a request for additional information was sent in our

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letter of November 22, 1991. This request was for additional information on completion of remedial action for a northern portion of the Burrell VP, referred to in the CR as either the conrail property, the Pennsylvania Railroad Right-of-Way, or CA-800, its vicinity property designation. Although DOE had included this additional property in the Burrell CR, the NRC staff had never reviewed CA-800. DOE transmitted to NRC a revision to the Burrell CR by letter dated April 10, 1992, but it still lacked this information. A meeting was held with DOE staff in Albuquerque, New Mexico, on September 10, 1992, to discuss this issue. Since, DOE will maintain control of CA-200 as a fenced disposal site, but will treat CA-800 as a standard vicinity property, NRC and DOE agreed that they should be handled separately. Subsequently, DOE transmitted page changes for the CR with its letter dated August 26, 1993. These page changes primarily deleted reference to the vicinity property CA-800, and reflected DOE's separate treatment of the two properties CA-200 and CA-800.

In a telephone discussion with DOE staff on November 18, 1993, a few items needing clarification were identified. DOE's draft response was received by telephone and by fax on January 6, 1994. With these final changes, the CR is considered acceptable.

If you have any questions, please contact the NRC Project Manager, Mohammad Haque at (301) 504-2580.

Sincerely,

PREPARED BY

Joseph J. Holonich, Acting Chief
Uranium Recovery Branch
Division of Low-level Waste Management
and Decommissioning
Office of Nuclear Material Safety
and Safeguards

cc: S. Hamp, DOE Alb
J. Yusko, PA DER

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