



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

FEB 14 1994

Mr. Othiniel Thompson
Hazardous Waste Program
Maryland Department of the Environment
2500 Broening Highway
Baltimore, MD 21224

Dear Mr. Thompson:

I am writing in response to your letter to Dominick A. Orlando, of my staff, dated January 19, 1994, requesting that the Nuclear Regulatory Commission require, as part of the decommissioning plan developed by the Defense Logistics Agency (DLA) for the remediation of the Anne Arundel County (AACo) property in Curtis Bay, Md., a commitment by the DLA to coordinate their radioactive waste disposal plans with the Hazardous Waste Program. We understand that your request is based on a concern that large volumes or activities of radioactive waste generated from the remediation of the AACo property could cause the total radioactive waste shipped by Maryland generators to exceed 25% of the volume or activity of that generated by the State of Pennsylvania. This could require that Maryland site a radioactive waste disposal facility within its borders.

Typically, NRC does not require its licensees to coordinate their radioactive waste disposal plans with other regulatory authorities. Rather, NRC requires that all remedial activities be conducted in accordance with the requirements of all other State and Federal regulations in effect at a licensed facility. If, as a generator in the Appalachian Compact, the DLA is required to coordinate waste disposal plans through your office, NRC would support your enforcement of this requirement, as long as it did not adversely impact on NRC's responsibility to protect the public health and safety and the environment under the Atomic Energy Act of 1954. However, NRC cannot require DLA to coordinate its waste disposal plans with your office through our enforcement authority.

DLA staff has indicated that they currently believe that the total amount of radioactive waste that will be generated from the remediation of the AACo property will be less than 300 ft³. In addition, based on the limited characterization done to date at the AACo property, it is not expected that the activity of the waste from remedial activities will be in excess of a few millicuries. As you may not have been aware that the remedial activities are expected to generate such small volumes or activities of waste, this may alleviate some of your concerns.

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Mr. Othinel Thompson

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If you have any questions or wish to discuss the remediation of the AACo property, please contact me at 301 504-2560.

Sincerely,

John H. Austin, Chief
Decommissioning and Regulatory
Issues Branch
Division of Low-Level Waste Management
and Decommissioning

cc:
Kevin Reilly
DLA/DNSC-0
1745 Jefferson Davis Highway
Suite 100, Crystal Square #4
Arlington, VA 22204

Tom Ferguson, Health Physicist
Maryland Department of the Environment
Radiological Health Program
2500 Broening Highway
Baltimore, MD 21224

Mike Leahy, Land Use Coordinator
Anne Arundel County
Office of Planning and Zoning
2664 Riva Road MS-6401
Annapolis, MD 21401

Ticket: D-9408

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SUBJECT ABSTRACT: RESPONSE TO REQUEST FROM MDE TO COORDINATE WASTE DISPOSAL THROUGH MDE

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Mr. Othinel Thompson

-2-

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SUBJECT ABSTRACT: RESPONSE TO REQUEST FROM MDF TO COORDINATE WASTE DISPOSAL THROUGH MDE

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DATE:	2/3/94	H	2/3/94	H	02/10/94	2/10/94	2/11/94

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