

MAR 28 1994

Mr. Charles A. Judd
Executive Vice President
Envirocare of Utah, Inc.
American Towers Commercial
46 W. Broadway, Suite 240
Salt Lake City, Utah 84101

Dear Mr. Judd

As you are aware, our respective staffs met on March 10, 1994. Envirocare of Utah, Inc. (Envirocare) requested the meeting to provide the U.S. Nuclear Regulatory Commission with an explanation of its proposed license amendment application; Envirocare's thoughts behind the proposed amendment; and to answer any NRC questions. In accordance with agency procedures, the NRC staff has prepared the enclosed meeting summary. If you have any comments or questions concerning the summary, please contact the project manager, Sandra Wastler of my staff at (301) 504-2582.

Sincerely,

ORIGINAL SIGNED BY

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

Enclosure: As stated

cc: D. Hiller

W. Sinclair, Utah

Docket Number: 40-8989

License Number: SMC-1559

Distribution: See attached list

SUBJECT ABSTRACT: MARCH 10, 1994 MEETING SUMMARY

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NAME	SWastler		MFliegel		JHolonich			
DATE	03/24/94	M	03/17/94	M	03/17/94			

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March 10, 1994 Meeting Summary
Between the U.S. Nuclear Regulatory Commission and Envirocare of Utah, Inc.

ATTENDEES:

<u>NRC</u>	<u>ENVIROCARE</u>	<u>OBSERVER</u>
S. Wastler	C. Judd	W. Kerr, IL
J. Holonich	V. Andrews	
M. Fliegel	D. Hiller	
E. Brummett		
L. Hamdan		
C. McKenney		

PURPOSE:

On March 1, 1994, the U.S. Nuclear Regulatory Commission received an application from Envirocare of Utah, Inc. (Envirocare) to amend byproduct material license no. SMC-1559. The license amendment application proposed:

1. to modify license condition 11.1 to allow the licensee 72 hours, excluding weekends or holidays, to take both the confirmatory samples and the third samples from the Point of Compliance (POC) wells.
2. to modify license conditions 9.6(e), 10.2 (b), 10.7, and 10.8 based on revisions to the radiation safety program and supporting analysis to allow more flexibility in day-to-day operations.

As indicated by Envirocare during the introductory remarks at the meeting, Envirocare requested the meeting to provide the NRC with an explanation of the license amendment application; Envirocare's thoughts behind the proposed amendment; and to answer any NRC questions. The agenda for the meeting is provided as Attachment 1.

SUMMARY:

Envirocare provided an overview of the proposed changes to the license, as contained in the amendment application. The first issue discussed was the proposed modification to license condition 11.1 to allow 72 hours, excluding weekends or holidays, to take both confirmatory samples and third samples from the POC wells. The current license condition requires the licensee to take the confirmatory samples within 24 hours and the third sample within 48 hours. The NRC staff indicated that because of Envirocare's earlier question on this issue, it had already investigated the potential for this change and found the licensee's proposal acceptable.

In the second topic for discussion, Envirocare indicated that its

proposed changes to the radiation safety program will require modifications to license conditions 9.6(e), 10.2 (b), 10.7, and 10.8. With regard to the current radiation safety analysis, the license authorizes facility operation within the bounds of the original modeling, which was the basis for the operational controls, limits and restrictions specified in license conditions 10.1 through 10.8. Envirocare further stated that it would like additional day-to-day operational flexibility than currently authorized by these license conditions. Therefore, it noted that it was proposing to use cumulative modeling of the incoming shipments of byproduct material to demonstrate that the requirements of 10 CFR Part 20 are met on a day-to-day basis. The model described by Envirocare is a modification of the model used in the original radiation safety analysis.

The following specific modifications were briefly discussed:

- a. Envirocare proposes a modification to license condition 9.6(e) which deletes that portion which currently requires "...quality controls for waste...classification as higher or lower specific activity waste." Envirocare states the amendment application provides sufficient information to demonstrate that the need to identify "higher or lower specific activity waste" is eliminated by the application of the sensitivity analysis. This sensitivity analysis considers all aspects of waste concentration and volume for each radionuclide and the associated handling procedures.
- b. Envirocare proposes the deletion of license condition 10.2(b), which currently requires the licensee to analyze and characterize specified key radon attenuation model parameter values during placement to verify that the values used in the licensee's radon attenuation model have been achieved. Envirocare indicates that the amendment application provides sufficient data to demonstrate that the purpose behind this condition is eliminated because the sensitivity analysis uses the default parameters contained in Regulatory Guide 3.64, "Calculation of Radon Flux Attenuation by Earthen Mill Tailings Covers," for the key radon attenuation model parameter values.
- c. Envirocare proposes a revision of license condition 10.7 eliminating all reference to "higher" and "lower" activity waste. Specifically, Envirocare proposes the condition be reworded to state "The licensee shall, upon arrival of the waste, perform external exposure rate measurements of the waste conveyances. Any shipment with exposure rates greater than 5 mrem per hour at a distance of 30 cm from any

surface, and which cannot be disposed of within 24 hours, shall be posted as a Radiation Area in compliance with 10 CFR 20.1902(a) until disposed." The licensee justification for the change is that the reworded condition provides a greater assurance of proper radiation safety, which does not depend on the shippers manifest for determination.

- d. Envirocare proposes to delete license condition 10.8(c), the limit on the total embankment capacity; license condition 10.8(g), the restriction on the annual bulk concentration; and license condition 10.8(h), the restriction on the yearly average concentration. Envirocare states that the amendment application provides sufficient information to demonstrate that these conditions are "...satisfied by the application of the results of the sensitivity analysis on the model..."

In addition, Envirocare proposes to add a new condition, which would become license condition 10.8(f), that requires the licensee to manage waste receipt, storage, and disposal operations in such a manner as to assure compliance with the effluent concentration limits of Table 2, Appendix B to 10 CFR Part 20.1001 - 20.2401 and population dose limits of 10 CFR Part 20.1301.

During Envirocare's, NRC staff asked general questions to clarify its understanding of the presentation on the content of its amendment application. In addition, the staff made the following observations:

1. One significant aspect of the Envirocare's proposed changes to be considered by the staff is the ability to adequately inspect the proposed radiation safety program and the adequacy of proposed recordkeeping and reporting requirements needed to monitor the program.
2. With regard to the proposed change to license condition 10.2(b), the staff made the observation that Envirocare still has to demonstrate compliance with 10 CFR Part 40, Appendix A with regard to radon.
3. With regard to the proposed change to the on-site storage of byproduct material, the staff observed that to meet 10 CFR Part 20 requirements, it may be necessary to cover the stored material with soil, until burial.
4. The staff pointed out that the proposed changes to the radiation safety analysis may have impacts on conditions, other than those noted, not considered by Envirocare.

Envirocare may want to review all the license conditions to determine if any others need to be revised as a result of this amendment.

5. The staff pointed out that data on the radon barrier soil is necessary to evaluate proposed changes to the radon attenuation model and that the Envirocare's use of default values in the radon barrier model does not completely eliminate the need for testing.

CONCLUSION: The NRC staff indicated that the Envirocare review is still given top priority by the NRC and that the staff will move forward on its review of the amendment application. The Envirocare project manager reviewed the status of Envirocare's submittals required under license conditions 9.6 and 9.7. The staff noted that Envirocare had submitted all but its responses to NRC questions on the baseline groundwater quality monitoring information required by license condition 9.7(d). The information required by these license conditions is in various stages of review by the NRC.

In addition, the staff recommended that Envirocare prepare a short slide presentation for future meetings in order to keep its presentation more pointed and focused.