

February 1, 1996

Mr. Charles A. Judd, Executive Vice President
Envirocare of Utah, Inc.
46 West Broadway, Suite 240
Salt Lake City, UT 84101

SUBJECT: LICENSE AMENDMENTS REQUEST APPROVAL - AMENDMENT 7 TO MATERIALS
LICENSE NO. SMC-1559

Dear Mr. Judd:

This letter is in reference to your letters dated August 25, 1995, and September 18, 1995, requesting the Nuclear Regulatory Commission staff's amendment of Envirocare's current Materials License No. SMC-1559. In the August 25th letter, Envirocare requested amending SMC-1559 to establish a Safety and Environmental Review Panel such that the revised license would be performance based, and to change the present groundwater sampling frequencies and reporting periods. In the September 18th letter, Envirocare requested that the NRC staff establish site-specific standards for groundwater protection for constituents included in its site detection monitoring program at the Clive, UT, 11e.(2) disposal cell. Additionally, Envirocare requested revisions in measurement units for uranium and organic constituents found in Table S-1 of its license, and the substitution of fluoride for fluorine as a site-specific constituent to be monitored.

The NRC has reviewed Envirocare's license amendment requests, and with the exception of the proposed changes to groundwater sampling frequencies and establishing site-specific standards for groundwater protection for constituents in the site detection monitoring program, the staff concurs with the revisions. The areas of non-concurrence were discussed with, and agreed to by Mr. George Hellstrom of Envirocare in a telephone conversation on December 18, 1995.

During its review of Envirocare's license amendment requests, the staff also revised the licensee's present groundwater notification requirements under License Condition 12.2 to allow for additional time in notifying NRC of any exceedence events specified in the license condition. This subject was also discussed and agreed to by Mr. Hellstrom in the aforementioned teleconference. The staff reached its decision regarding Envirocare's amendment requests based on the enclosed technical evaluation report (TER).

Also enclosed is Amendment 7 of Envirocare's SMC-1559 reflecting the changes recommended by the staff in its TER. All other conditions of this license shall remain the same. An environmental review was not performed since this action is categorically excluded under 10 CFR 51.22(c)(10), and an environmental report from the licensee is not required by 10 CFR 51.60(b)(2).

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C. Judd

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If you have any questions concerning this subject, please contact Mr. Robert Carlson of my staff at (301) 415-8165.

Sincerely,

(Original signed by)

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

Docket No. 40-8989
SMC-1559, Amendment 7

Enclosures: As stated

cc: W. Sinclair, Utah DRC (w/encl)

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C. Judd

-2-

If you have any questions concerning this subject, please contact Mr. Robert Carlson of my staff at (301) 415-8165.

Sincerely,

Daniel M. Gillen, Acting Chief
High-Level Waste and Uranium Recovery
Projects Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

Docket No. 40-8989
SMC-1559, Amendment 7

Enclosures: As stated

cc: W. Sinclair, Utah DRC (w/encl)

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TECHNICAL EVALUATION REPORT

DATE: January 18, 1996

DOCKET NO: 40-8989

LICENSE NO: SMC-1559, Amendment 7

LICENSEE: Envirocare of Utah, Inc.

FACILITY: Clive, UT (11e.(2) Disposal Cell)

PROJECT MANAGER: Robert D. Carlson

TECHNICAL REVIEWER(S):

Latif S. Hamdan	- Hydrologist
Michael C. Layton	- Hydrologist
Virginia Colten-Bradley	- Geochemist
Chris A. McKenney	- Health Physicist
Robert Fonner	- Legal Counselor

DESCRIPTION OF LICENSEE'S AMENDMENT REQUEST:

Envirocare requested the following amendments to Materials License No. SMC-1559 in its letters of August 25, 1995, and September 18, 1995:

- 1) Revise the current license to establish a Safety and Environmental Review Panel (SERP) such that the amended license would be performance based. The SERP would review proposed actions to determine whether Envirocare would be required to file a license amendment prior to initiation of the action, or whether the action could be performed without prior NRC approval - but following certain established procedural guidelines.
- 2) Revise license condition (LC) 11.1 by changing the groundwater sampling frequency from quarterly to semi-annually. This change is based on a similar request that Envirocare has pending before the Utah Division of Water Quality for its RCRA facility.
- 3) Revise LC 12.2 to allow for the submittal of groundwater sampling reports within 120 days after completion of a sampling event.
- 4) Revise LC 11.1 and Table S-1 by establishing site-specific standards for groundwater protection for constituents included in Envirocare's detection monitoring program at its Clive, UT, 11e.(2) disposal site. Envirocare requested that the requirement of verification sampling and establishing a compliance monitoring plan be limited to groundwater samples that exceed the higher of 1) the maximum contaminant limits (MCL) for each constituent, or 2) the background concentration limit for each constituent.

Enclosure 1

- 5) Revise the units of measurement in Table S-1 for uranium from pCi/l to mg/l, and the detection limits for organic constituents from mg/l to ug/l - to be consistent with background values/units of measurement submitted by Envirocare in its original license application.
- 6) Revise LC 11.1 and Table S-1 by substituting fluoride for fluorine as a site-specific constituent, and documenting background concentration levels for fluoride rather than fluorine because pre-operational monitoring involved analysis of fluoride rather than fluorine.

TECHNICAL EVALUATION:

In the following technical evaluation, specific text changes to the license application are found in the "Recommended License Change" section for each corresponding amendment request, and denoted with quotation marks " ".

1. Performance Based License

SUMMARY AND CONCLUSIONS:

The staff reviewed SMC-1559 and concurs with Envirocare's request to amend its license such that it becomes performance based. Approving this request is in keeping with the NRC's commitment toward regulatory reduction, and conforms to the example model licenses that were presented to uranium industry licensees for review and comment in a transmittal dated September 2, 1994. Additionally, NRC RG-IV inspectors were consulted with, and concurred on the licensee's request for a performance based license - citing good operational controls at the facility and positive results from its most recent inspection in July 1995.

Envirocare's establishment of a SERP should ensure that all new or revised facility operations and/or actions undergo a thorough examination and acceptance process involving appropriate staff and management review. However, establishment of a SERP does not relieve the licensee from its responsibilities to meet existing inspection, monitoring, and reporting requirements outlined in other LCs.

The SERP is required to document any changes pursuant to this amendment in the form of a written safety and environmental evaluation, which the NRC staff will review during periodic inspections and/or in Envirocare's annual report submission. The licensee is also required to develop and implement a written standard operating procedure for the establishment and application of a SERP.

Other LCs besides the amended LC 9.4 were affected by the approval of this performance based license request. Specifically, LCs 9.3, 9.8, 9.9, 9.13, 9.17, 10.3, and 11.1 were revised accordingly to reflect administrative and operational changes that provide the licensee greater latitude to make internal decisions concerning the daily operations of the facility.

RECOMMENDED LICENSE CHANGE:

LC 9.3 - Revise the existing LC to add the following dates: "08/25/95 and 09/18/95." These dates reflect the submission of Envirocare's license amendment requests, which have been incorporated into either its license or license application.

LC 9.4 - Revise the entire LC to read:

"In accordance with NRC approved performance based license provisions:

- a) The licensee may, without prior NRC approval, and subject to the conditions specified in Part b of this condition:
 - (1) Make changes in the facility or process, as presented in the application.
 - (2) Make changes in the procedures presented in the application.
 - (3) Conduct tests or experiments not presented in the application.
- b) The licensee shall file an application for an amendment to the license, unless the following conditions are satisfied.
 - (1) The change, test, or experiment does not conflict with any requirement specifically stated in this license (excluding material referenced in License Condition 9.3), or impair the licensee's ability to meet all applicable NRC regulations.
 - (2) There is no degradation in the essential safety or environmental commitments in the license application, or provided by the approved reclamation plan.
 - (3) The change, test, or experiment are consistent with the conclusions of actions analyzed and selected in the site Environmental Impact Statement (NUREG-1476) dated August 1993, and the Safety Evaluation Report (NUREG-1486) dated January 1994.
- c) The licensee's determinations concerning Part b of this condition, shall be made by a Safety and Environmental Review Panel (SERP). The SERP shall consist of a minimum of three individuals. One member of the SERP shall have expertise in management and shall be responsible for managerial and financial approval changes; one member shall have expertise in operations and/or construction and shall have responsibility for implementing any operational changes; and, one member shall be the corporate radiation safety officer (CRSO) or equivalent,

with the responsibility of assuring changes conform to radiation safety and environmental requirements. Additional members may be included in the SERP as appropriate, to address technical aspects such as health physics, groundwater hydrology, surface-water hydrology, specific earth sciences, and other technical disciplines. Temporary members or permanent members, other than the three above-specified individuals, may be consultants.

- d) The licensee shall maintain records of any changes made pursuant to this condition until license termination. These records shall include written safety and environmental evaluations, made by the SERP, that provide the basis for determining changes are in compliance with the requirements referred to in Part b of this condition. The licensee shall furnish, in an annual report to NRC, a description of such changes, tests, or experiments, including a summary of the safety and environmental evaluation of each. In addition, the licensee shall annually submit to the NRC changed pages to the Operations Plan and Reclamation Plan of the approved license application to reflect changes made under this condition."

LC 9.8 - Revise the existing LC by adding the following sentence:

"All existing facility SOPs related to operational and non-operational activities shall be reviewed and documented by the CRSO on an annual basis."

LC 9.9 - Revise the entire LC to read:

Any change to the licensee's corporate organizational structure, as presented in the license application, affecting the assignment or reporting responsibility of the radiation staff shall "conform to Regulatory Guide 8.31, 'Information Relevant to Ensuring That Occupational Radiation Exposures at Uranium Mills Will Be As Low As Is Reasonably Achievable'."

LC 9.13 - Revise the entire LC to read:

The licensee shall require a radiation work permit (RWP) for work where the potential for significant exposure to radioactive materials exists and for which no SOP exists. "Each RWP shall contain the information specified in Regulatory Guide 8.31."

The CRSO, or designate, qualified by way of special radiation protection training equivalent to that required for the CRSO as defined in License Condition 9.10, shall indicate by signature the review and approval of each RWP prior to the initiation of the work.

LC 9.17 - Revise the entire LC to read:

The licensee shall provide for an independent internal audit of facility operations to assure compliance with applicable regulations and license conditions. The independent internal audit will be conducted annually "by a qualified health physicist knowledgeable on operations concerning radiation protection programs at milling/waste disposal facilities." The contractor report shall be submitted as part of the annual report.

LC 10.3 - Revise the 2nd paragraph of the existing LC to read:

The licensee shall undertake corrective action to clean-up groundwater contamination if and when required, no later than 18 months from the date when exceedence of a standard has first been discovered, and without taking credit for any delays caused by disagreements as to the source of contamination. The licensee shall consider and evaluate existing and new groundwater clean-up technologies "before selecting and implementing an appropriate clean-up program."

LC 11.1 - See revisions under #4 of this TER.

2. Groundwater Sampling Frequency

SUMMARY AND CONCLUSIONS:

The staff reviewed and does not concur with Envirocare's request to revise the groundwater sampling frequency required in its license from quarterly to semi-annually. The 11e.(2) disposal facility has been in operation for only one year. Along with early detection of groundwater contamination, groundwater monitoring serves to provide timely information about the performance of the disposal cell during this initial phase of facility operation. Therefore, it would be prudent to maintain the current sampling frequency (quarterly) to ensure a frequent and timely assessment of the disposal cell performance. Reducing the sampling frequency may be reconsidered in the future, after the reliability of the disposal cell performance has been demonstrated.

RECOMMENDED LICENSE CHANGE:

None

3. Groundwater Sampling Reports Submission

SUMMARY AND CONCLUSIONS:

The staff reviewed Envirocare's request for submission of routine groundwater sampling reports within 120-days after the end of the sampling event, based on comments received from NRC RG-IV inspectors during their July 1995 inspection of the licensee's facility, and similar reporting requirements currently in

effect with the State of Utah. Subsequent discussions between the staff and licensee have resulted in the following course of action being implemented. Envirocare will maintain all quarterly groundwater sampling data, reports, and analyses at its facility - subject to periodic inspections by the NRC staff. A consolidated groundwater sampling report that summarizes the quarterly groundwater data and analyses will be submitted as part of the licensee's annual reporting requirement.

The staff has also reviewed the licensee's notification requirement under LC 12.2 concerning exceedence events of background water quality values, site-specific groundwater quality standards, and/or newly detected hazardous constituents. Present notification requirements obligate Envirocare to contact NRC by telephone within 24 hours, and in writing within seven days, of an exceedence event or detection of a new hazardous constituent in the groundwater. The staff has found no regulatory or historical precedent for this stringent notification time-frame, and therefore revises the current LC to require the licensee to contact NRC by telephone within seven days, and in writing within 30 days, from the time exceedence is confirmed or a new hazardous constituent identified.

RECOMMENDED LICENSE CHANGE:

LC 12.2 - Revise the entire LC to read:

The licensee shall notify the NRC, in the event a baseline background water quality value or a groundwater quality standard established for the site is exceeded; or if a new hazardous constituent that was not originally included in the initial list of hazardous constituents, but was subsequently identified in the incoming waste, is detected in the POC wells - as confirmed by groundwater monitoring. The licensee shall notify Region IV and the Chief, High-Level Waste and Uranium Recovery Projects Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards by telephone within "7" days and by letter within "30" days from the time the exceedence is confirmed, or a new "hazardous" constituent identified by laboratory analyses (see LC 11.1).

"The licensee shall submit to the NRC a consolidated groundwater sampling report that summarizes the quarterly groundwater data and analyses as part of the licensee's annual reporting requirement."

4. Establishing Site-Specific Standards

SUMMARY AND CONCLUSIONS:

The staff has reviewed and does not concur with Envirocare's request for NRC to establish site-specific standards for hazardous constituents included in the licensee's groundwater detection monitoring program prior to constituent detection in the groundwater system. Specifically, Envirocare requested that NRC establish site-specific standards for all constituents currently covered

by the licensee's detection monitoring program as the higher of:
(1) background concentrations, or (2) maximum concentration limits (MCLs)
(including MCL values the licensee obtained from different sources, and
proposed for use under its detection monitoring program).

The staff agrees that consistent with Criterion 5B(5) of Appendix A (10 CFR Part 40), site-specific standards for groundwater protection at Title II sites can be established as the higher of: (a) NRC-approved background concentrations; or (b) maximum values for groundwater protection provided in Table 5C of Appendix A. However, according to Criterion 5B(2), Appendix A, only constituents that meet the following three tests can be characterized as hazardous subject to the requirements of Criterion 5B(5): (a) constituent is reasonably expected to be in, or derived from the byproduct material; (b) constituent has been detected in the uppermost aquifer; and (c) constituent is listed in Criterion 13. It is noted that detection of contaminants in the uppermost aquifer is specifically required for constituents to be considered hazardous, thus requiring site-specific standards to be established under Criterion 5B(5).

Based on the groundwater monitoring data and other information provided by the licensee to date (i.e., reference Envirocare's letter to NRC dated June 7, 1995), arsenic is the only constituent that meets all three tests in Criterion 5B(2). None of the other constituents submitted by Envirocare meet the test in Criterion 5B(2)(b) - namely that the constituent has been detected in the groundwater in the uppermost aquifer since the background values were established. In addition, two of the organic constituents (acetone and 2-methylnaphthalene) are not listed in Criterion 13, and their characterization as site-specific hazardous constituents requiring the establishment of site-specific standards needs other justification.

Therefore, the staff agrees to establish a site-specific standard for arsenic, in each of the different POC wells, as the higher of: (a) 0.05 mg/l (which is the value for maximum concentration for groundwater protection provided for this constituent in Table 5C, Appendix A); or (b) the approved background concentration in Table S-1. Site-specific standards may not be established for any of the other constituents at this time - and not until, and unless, it can be shown that a constituent meets all three tests in Criterion 5B(2), as documented by the licensee's ongoing detection monitoring program.

License Condition 11.1 presently addresses the required groundwater quality monitoring at Envirocare's 11e.(2) disposal site (i.e., detection, compliance, corrective action, and post-closure monitoring), pursuant to the groundwater monitoring requirements at Title II sites found in 10 CFR Part 40, Appendix A. Specifically, this LC: (a) identifies a list of site-specific hazardous constituents to be monitored; (b) documents NRC-approved background concentrations for individual constituents and Point of Compliance (POC) wells (Table S-1); (c) specifies frequency of sampling of POC wells (quarterly); (d) provides quality control procedures for collection and analysis of water samples (industry standards, laboratory certification, and other quality assurance measures provided in the license application and approved by NRC); and (e) requires the licensee to submit, for NRC approval, a compliance monitoring plan that includes proposed site-specific concentration limits

(i.e., standards) for individual constituents detected in the uppermost aquifer in the POC wells.

Pursuant to amended LC 9.4, which gives Envirocare the authority to establish a SERP under the NRC's performance based license provision, the licensee may establish future site-specific standards as the higher of 1) background concentrations, or 2) MCLs provided in 10 CFR Part 40, Appendix A, Table 5C, for those constituents already identified in its NRC approved detection monitoring program. In the future, Envirocare must submit to NRC for approval, any proposed site-specific standards for newly identified hazardous constituents that are identified in the incoming waste for which a background concentration level has not been approved by NRC (see LC 10.2a).

The staff further notes that pursuant to the provisions of Criterion 5B(5), only constituent concentration values in Table 5C of Appendix A can be considered by the licensee's SERP to establish future site-specific standards for contaminants that have been detected in the uppermost aquifer. MCL values obtained by the licensee from other sources (i.e., EPA's Maximum Contaminant Levels in the Primary Drinking Water Regulations; Utah Division of Water Quality Ground Water Quality Standards; and other sources cited by the licensee) are not acceptable. However, such values may be used to determine and/or justify ACL standards of equivalent values for each constituent detected in the licensee's detection monitoring program.

In addition, the staff's review of LC 11.1 indicated that there may be some ambiguity by Envirocare over the intended purpose of detection monitoring - namely to detect and document contamination in the groundwater of the uppermost aquifer in order to characterize site-specific hazardous constituents, and establish site-specific standards for such constituents by the licensee's SERP or NRC, as appropriate. Thus, the staff has rewritten LC 11.1 to clarify the intended requirements listed therein, and to reference the newly established site-specific standards and other pertinent revisions in this TER. A new Table STD-1 is added to the license application which establishes the NRC-approved site-specific standard for arsenic. This table will be used in the future, as needed, by Envirocare to document site-specific standards established by its SERP for existing constituents listed in its detection monitoring program - or by NRC for documenting approved site-specific standards for newly identified hazardous constituents that are identified in the incoming waste stream for which a background concentration level has not been approved by NRC. Future revisions made by the licensee to Table STD-1, under the provisions of this license condition, must be submitted to the staff for administrative updating of the table.

RECOMMENDED LICENSE CHANGE:

LC 11.1 - Revise the entire LC to read:

"The licensee shall implement groundwater monitoring programs throughout the duration of this license, to include the following:

- a) Specifically, the licensee shall conduct detection monitoring, compliance monitoring, corrective action monitoring, and post-

closure monitoring in accordance with Criteria 5 and 7 of 10 CFR Part 40, Appendix A, the license application dated November 19, 1993, and applicable supporting documents listed in License Condition 9.3, and as required based on the results of groundwater monitoring. The monitoring shall involve sampling and analysis of representative samples from the POC wells defined in the license application. All water samples shall be collected on a quarterly schedule, at least three months apart.

- b) Detection monitoring shall be conducted after the disposal operation is started as described in Criterion 7A of 10 CFR Part 40, Appendix A. Detection monitoring shall include the constituents listed below, or any added through amendment in accordance with License Condition 10.2(a).

Arsenic	Nickel	Acetone
Barium	Selenium	2-Butanone
Beryllium	Silver	Chloroform
Cadmium	Radium-226	Carbon disulfide
Chromium	Radium-228	1,2-Dichloroethane
Cyanide	Thorium-230	Methylene Chloride
Fluoride	Thorium-232	Naphthalene
Lead	Uranium	2-Methylnaphthalene
Mercury	Molybdenum	Diethylphthalate

- c) Pursuant to License Condition 9.4, the licensee may establish site-specific compliance standards as the higher of 1) background concentrations, or 2) MCLs provided in 10 CFR Part 40, Appendix A, Table 5C - for those constituents already identified in its NRC-approved detection monitoring program. The licensee must submit to NRC for approval, any proposed site-specific standards for newly identified hazardous constituents that are identified in the incoming waste for which a background concentration level has not been approved by NRC in accordance with License Condition 10.2a.
- d) Compliance monitoring shall be implemented by the licensee in accordance with Criteria 7A and 5B(1) of 10 CFR Part 40, Appendix A for those constituents qualifying as hazardous constituents under Criterion 5B(2) of 10 CFR Part 40, Appendix A. The compliance monitoring period for a particular constituent shall continue from the time a site-specific groundwater protection standard for that constituent is established, until this license is terminated. Table STD-1 in the license application provides a list of hazardous constituents that have been detected in the groundwater above background and for which site-specific standards have been established for the disposal site.
- e) Corrective action may be required by NRC if the established standards are exceeded. Corrective action monitoring shall be implemented in conjunction with a corrective action program in

order to demonstrate the effectiveness of corrective actions undertaken by the licensee.

- f) Post-closure monitoring shall involve monitoring undertaken after the disposal operation is stopped and until license termination.
- g) If a baseline background ground-water quality value listed in the attached Table S-1 for any of the above constituents is exceeded, or if a new hazardous constituent, identified based on waste characterization (see License Condition 10.2(a)) is detected in a POC well, the licensee shall take a confirmatory sample within 72 hours, excluding weekends and holidays, and have it analyzed. Upon receipt of the sample analysis, if the second sample does not indicate exceedence/detection, a third sample shall be taken within 72 hours, excluding weekends and holidays, and analyzed. If neither the second nor third samples indicate exceedence/ detection, the first sample shall be considered in error. If the second or third sample indicates exceedence/detection, the licensee shall notify NRC and meet the reporting requirements as stated in License Condition 12.2.

In addition, within 30 days from the receipt of the analysis results, the licensee shall develop and implement site-specific standards for groundwater protection and develop a written compliance monitoring plan. The compliance monitoring plan will be in accordance with the sampling schedule specified in Part a) of this license condition and in the applicable regulations, for individual constituents that have been detected in the POC wells in excess of the background values.

All water sampling and analysis activities shall be carried out in accordance with the sampling procedures of a certified laboratory. The sampling of the monitoring wells shall be conducted according to acceptable industry standards and in conformance to the proposed quality assurance measures provided in Appendix Z of the license application."

5. Revision of Units of Measurement

SUMMARY AND CONCLUSIONS:

The staff has reviewed and concurs with Envirocare's request that units for background concentrations of uranium and organic constituents in the groundwater be revised so that they are consistent with the units used in reporting the results of pre-operational monitoring - which were provided in the license application.

RECOMMENDED LICENSE CHANGE:

Based on its review, the staff revised Table S-1 so that uranium background concentration values are provided in mg/l, and organic constituent background concentrations are provided in ug/l.

6. Substitution of Fluoride for Fluorine**SUMMARY AND CONCLUSIONS:**

The staff has reviewed and concurs with Envirocare's request to substitute fluoride for fluorine. The licensee requested substituting fluoride for fluorine as a site-specific constituent, and documenting background concentration for fluoride rather than fluorine in Table S-1, because pre-operational monitoring involved analysis of fluoride rather than fluorine.

The staff agrees to substitute fluoride for fluorine in the constituent list for the site because water samples have consistently been analyzed for fluoride, and background data were reported as fluoride in the license application.

RECOMMENDED LICENSE CHANGE:

Based on its review, the staff revised the list of hazardous constituents in LC 11.1 and Table S-1 to reflect the aforementioned change.

ENVIRONMENTAL IMPACT STATEMENT:

An environmental review was not performed, since this action is categorically excluded under 10 CFR 51.22(c)(10), and an environmental report from the licensee is not required by 10 CFR 51.60(b)(2).

REFERENCES:

1. 10 Code of Federal Regulations, Part 40, January 1, 1995 (Revised), Office of the Federal Register National Archives and Records Administration.

Table STD-1
NRC-Approved Site-Specific Standards
(As of November 20, 1995)

Constituent	Point of Compliance Monitoring Wells											
	19A	20	24	25	26	27	28	29	57	58	60	63
Inorganic Constituents (mg/l):												
Arsenic ^{III}	0.05	0.05	0.05	0.11	0.20	0.059	0.078	0.05	0.05	0.12	0.05	0.05
Radioactive Constituents (pCi/l):												
None												
Organic Constituents (ug/l):												
None												

Site-specific standard for arsenic in different Point of Compliance (POC) wells was established as the higher of: (a) 0.05 mg/l, which is the value for maximum concentration for ground water protection provided for this constituent in 10 CFR Part 40, Table 5C, Appendix A, and (b) approved background concentration in Table S-1 (Revision 1, dated November 20, 1995).