June 11, 1997

Uranium Recovery Licensees and
State Officials on the Attached List

SUBJECT: MINUTES FROM THE JOINT U.S. NUCLEAR REGULATORY COMMISSION - NATIONAL MINING ASSOCIATION URANIUM RECOVERY MEETING HELD ON NOVEMBER 13-14, 1996

Dear Ladies and Gentlemen:

On November 13-14, 1996, the U.S. Nuclear Regulatory Commission, Division of Waste Management staff held public meetings with representatives of the National Mining Association, the uranium recovery industry, affected States, the U.S. Department of Energy, and the U.S. Environmental Protection Agency, at the NRC Headquarters in Rockville, Maryland. The purpose of these meetings was to provide a forum for the attendant organizations to discuss pertinent issues within the uranium recovery industry. Enclosed is a summary of the meeting minutes, with attached copies of the attendance lists and the individual presentations and associated handouts.

In addition, the NRC staff gave a presentation during this meeting on accessing the NRC via the Internet; however, more basic Internet issues were not discussed. The NRC staff does have some information addressing such issues which it can send to interested parties upon request.

If you have any questions concerning this subject, please contact Mr. Daniel Gillen of my staff. He can be reached at (301) 415-7295.

Sincerely,

(Original signed by Daniel M. Gillen for)
Joseph J. Holonich, Chief
Uranium Recovery Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

Enclosure Enclosures:
1. Summary of Meeting Minutes
2. Attendee Lists
3. Presentation Slides
4. Supplemental Handouts

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OFC	URB	C	URB	C	URB	C			
NAME	JPark JRP		DGillen		JHolonich				
DATE	6/11/97		6/11/97		6/11/97				

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

June 11, 1997

Uranium Recovery Licensees and
Federal and State Officials on the Attached List

SUBJECT: MINUTES FROM THE JOINT U.S. NUCLEAR REGULATORY COMMISSION - NATIONAL MINING ASSOCIATION URANIUM RECOVERY MEETING HELD ON NOVEMBER 13-14, 1996

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Sincerely,

D. M. Gillen for

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

Enclosures:
1. Summary of Meeting Minutes
2. Attendee Lists
3. Presentation Slides
4. Supplemental Handouts

Quivira Mining Company *
ATTN: Marvin Freeman, Manager
Radiation Safety, Licensing &
Reg. Affairs
6305 Waterford Blvd., Suite 325
Oklahoma City, OK 73118

UNC Mining and Milling
ATTN: Juan R. Velasquez
1720 Louisiana Blvd., NE, Suite 400
Albuquerque, NM 87110

Mr. Caleb Loring, III *
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Beverly Farms, MA 01915-0512

Homestake Mining Company *
ATTN: Roy R. Cellan
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Grants, NM 87020

Tennessee Valley Authority *
ATTN: Manager, Corporate Licensing
BR4G
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Chattanooga, TN 37402

Atlas Corporation
ATTN: R. E. Blubaugh
Vice President of Environmental
and Governmental Affairs
Republic Plaza
370 Seventeenth St., Suite 3050
Denver, CO 80202

Umetco Minerals Corporation *
ATTN: Bert Hankins
General Superintendent
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Riverton, WY 82501

Atlantic Richfield Company
ATTN: Ron S. Ziegler
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Anaconda, MT 59711

Hydro Resources, Inc.
ATTN: Mark Pelizza
Uranium Resources Inc.
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Director HSEQ
Kennecott Energy Company
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Gillette, WY 82717

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Denver, CO 80202

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Oklahoma City, OK 73118

Bear Creek Uranium
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Radiation Safety Officer
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Casper, WY 82602

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William C. Salisbury, President
P. O. Box 2713
Casper, WY 82602

U.S. Energy Corporation *
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877 North 8th West
Riverton, WY 82501

Exxon Corporation *
c/o Exxon Coal and Minerals Company
ATTN: Dave Range
Staff Environmental Engineer
P.O. Box 1314
Houston, TX 77251-1314

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Bethesda, MD 20814-3416

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Shirley Basin, WY 82615

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Smith Ranch Project
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Glenrock, WY 82637

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Vice President
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Denver, CO 80202

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Irigaray/Christensen Ranch
ISL Operations
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Mills, WY 82644

Pathfinder
North Butte ISL Operations
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Mills, WY 82644

Pathfinder Mines Corp.
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935 Pendell Blvd.
Mills, WY 82644

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Kennecott Uranium Company *
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Gillette, WY 82717-3009

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Region 6, Superfund
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Shaver and Licht
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Denver, CO 80222-1934

Mr. Mark Plessinger
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Grand Junction, CO 81503

Mr. Carl Jacobson
MACTEC-ERS
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Shepherd Miller, Inc.
ATTN: Jan Johnson
3801 Automation Way, Suite 100
Fort Collins, CO 80525

Shepherd Miller, Inc.
ATTN: Lawrence E. Fiske
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Texaco
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Texaco
ATTN: Michael J. Franko
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Sandia National Laboratories
ATTN: Bob Knowlton
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Charles Judd, President *
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Utah Mining Association *
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Riverton, WY 82501

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Hazardous and Radioactive
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Remediation Bureau
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Texas Natural Resource
Conservation Commission
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Austin, TX 78711-3087

Texas Natural Resource
Conservation Commission
ATTN: George Fitzgerald
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Austin, TX 78711-3087

State of Utah, Department of
Environmental Quality,
Division of Radiation Control
ATTN: Loren Morton
P.O. Box 144850
Salt Lake City, UT 84114-4850

Addressees with an asterisk (*) following their name will receive copies of meeting slides and supplemental handouts. Addressees without an asterisk will receive handouts only.

Enclosure 1

Summary of Minutes from
November 13-14, 1996
NRC/NMA Uranium Recovery Meeting

MINUTES FROM THE JOINT NUCLEAR REGULATORY COMMISSION - NATIONAL MINING ASSOCIATION URANIUM RECOVERY MEETING OF NOVEMBER 13-14, 1996

On November 13-14, 1996, U.S. Nuclear Regulatory Commission staff from the Division of Waste Management, Uranium Recovery Branch (URB), the Office of the General Counsel, and Region IV, met with representatives of the National Mining Association (NMA), the uranium recovery industry, affected States, the U.S. Department of Energy (DOE), and the U.S. Environmental Protection Agency (EPA), at the NRC Headquarters in Rockville, MD. The purpose of this meeting was to provide a forum for the attendant organizations to discuss pertinent issues within the uranium recovery industry.

The meeting began on November 13 with presentations by the NRC staff on accomplishments during Fiscal Year (FY) 1996, projections for FY 1997, and staffing updates. These staffing updates included the selection of a contractor, the Center for Nuclear Waste Regulatory Analyses (CNWRA), to support the NRC staff in its licensing review activities. Next, a representative from the CNWRA provided with a presentation on the CNWRA staff's experience in uranium recovery-related technical issues. The NRC staff followed with presentations on (1) the regulatory and technical framework for its licensing reviews; (2) the method it is using to calculate the minimum long-term care fund at the time of license termination; and (3) the applicability of the records retention rule, which modified requirements in 10 CFR Part 40, to the uranium recovery industry. Following a short lunch break, the NRC staff resumed its presentations, addressing (1) the results of NRC site inspections during FY 1996; and (2) NRC's video-conferencing capabilities and Internet accessibility. The day concluded with a presentation by the NRC staff on the groundwater monitoring requirements for conventional mill sites prior to license termination, and two presentations by the DOE staff, the first on its approach to groundwater corrective action at UMTRCA Title I sites and the second on the status of activities related to the transfer of Title II sites to the DOE for long-term care.

On the morning of November 14, the meeting continued with presentations from the uranium recovery industry. Representatives from the National Mining Association and the Wyoming Mining Association discussed the industry's projections for future licensing activity. Of interest were the industry projections of two new license applications for in-situ leach (ISL) uranium recovery operations to be submitted in 1997, and of four more under consideration. Additional industry presentations addressed surety revisions associated with site reclamation plans and an alternate mechanism for the site long-term maintenance fund. The NRC staff also gave a presentation on the accuracy and submittal of annual surety updates. The morning session concluded with an open regulatory forum, in which issues related to spill reporting, updates to the MILDOS-AREA radiological code, and the transmittal of draft licenses to licensees were addressed.

The afternoon of November 14 was dedicated to a technical workshop on the NRC staff's approach to the inspection and verification of a licensee's decommissioning activities for uranium mill sites. Presentations during the workshop were provided by the NRC staff and its contractor, the Oak Ridge Institute for Science and Education (ORISE).

Enclosure 2

Attendance Lists from
November 13-14, 1996
NRC/NMA Uranium Recovery Meeting

NRC/NMA URANIUM RECOVERY MEETING

(November 13-14, 1996 / NRC Headquarters / Rockville, Maryland)

NAME	ORGANIZATION	ADDRESS *
Don Williams	US EPA Region 6 Superfund	1445 Ross Ave (6SF-LN) Dallas Texas 75202-2733
John Hamrick	Umetco Minerals Corporation	2754 Compass Dr. Suite 280 Grand Junction CO 81506
Harley W. Shaver	Shaver; Licht	720 South Colorado Blvd. #12.2 Denver, Colorado 80222-1934
Fred Craft	U.S. Energy	877 North 8th West. Riverton, WY 82501
Mark Plessing	MACTEC-ERS	2597 B 3/4 RD. GRAND JCT., CO 81503
ERNIE Scott	Union Pacific Resources	Box 130 Wagner WY 82944
Jan Johnson	Shepherd Miller Inc	3801 Automation Way Ft. Collins CO 80525
KATHER PATEL	AVM Environmental	1717 Del Norte Blvd Grants, NM 87020
ANTHONY J. THOMPSON	SHAW, PITTMAN	2300 N ST. NW WASH DC 20037
Steve Collings	Crow Butte Resources	[illegible]
Lee Nugent	Pathfinder Mines Corporation	[illegible] Mills, WY 82644
Patricia Botsko	Texaco	P.O. Box 2100 Denver, Co 80231

DO NOT NEED A YELLOW BOOKLET

* Provide address ONLY if you want a copy of the meeting minutes sent to you

NRC/NMA URANIUM RECOVERY MEETING

(November 13-14, 1996 / NRC Headquarters / Rockville, Maryland)

NAME	ORGANIZATION	ADDRESS*
KENT BRUXVOORT	SHEPHERD MILLER, INC.	3801 AUTOMATION WAY, SUITE ~~200~~ 100 FORT COLLINS, CO 80525
GREG SCHMITT	GMI / CAMECO	600 - 17th ST. #915N DENVER, CO 80202
AL Clair	NRC / RIV	
MICHAEL J. FRANKO	TEXACO	P.O. Box 2100 DENVER, Colorado 80231
JUAN VELASQUEZ	United Nuclear Corp.	1700 Louisiana NE, Suite 400 Albuquerque, NM 87110
DONALD METZLER	US DOE: BRJ	DOE, B 3/4 Rd, GRAND JUNCTION, CO
ALICE ROGERS	T. W. NRC	
Katie Sweeney	Nat'l Mining Assn	1130 17th St NW Wash DC 20036
BOB KARWOSKI	SANDIA NATIONAL LABS	P.O. Box 5800, MS0720 ALBUQUERQUE, NM 87185-0720
Joseph Holonich	US NRC	
Dan Gillen	US NRC	
Craig Thorley	Energy Fuels	46 West Broadway, Suite 240 Salt Lake City, Utah 84101

Minutes updates

* **Provide address ONLY if you want a copy of the meeting minutes sent to you**

NRC/NMA URANIUM RECOVERY MEETING

(November 13-14, 1996 / NRC Headquarters / Rockville, Maryland)

NAME	ORGANIZATION	ADDRESS*
Joe Virgona	DOE/Grand Junction	2597 B 3/4 Rd. Grand Junction, CO 81503
LINDA McLEAN	NRC - Region IV	
PETER LUTHIGER	QUIVIRA MINING/RAMC	P.O Box 218, Grants, NM 87020
Ed Wheeler	[illegible]	[illegible]
CRAIG BARTELS	HRI, INC.	2929 Coors Rd, Suite 101 Albuquerque NM 87120
King Stablein	NRC/OEDO	
Myron Fliegel	NRC	
HAROLD LEFEVRE	NRC/DWM	
Elaine Brummett	"	
DANIEL ROM	"	

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NRC/NMA URANIUM RECOVERY MEETING

(November 13-14, 1996 / NRC Headquarters / Rockville, Maryland)

NAME	ORGANIZATION	ADDRESS*
William Ford	NRC	TWFN T7J9
Steve Morzenti	Power Resources, Inc.	800 Werner Ct. Suite 230 Casper WY 82601
Dave Mathes	U.S Dept. of ENERGY	EM-45, Cloverleaf Bldg 19901 Germantown Rd. Germantown
Tom Crandall	"	" town, MD 20874 NO
MUHAMMAD HAQUE	NRC	TWFN T7J9
JAKE GATKELL	DOE	CLOVERLEAF BLDG 19901 GERMANTOWN Rd. GERMANTOWN MD 20874
Carl Jacobson	MACTEC ERS	P.O. Box 14000 Grand Junction, CO 81502
Latif Hamdan	NRC	TWFN 7J-9
GARY CHASE	UP RESOURCES	P.O. Box 366 CASPER, WYO 82602
Oscar Paulson	Kennecott Uranium Company	P.O. Box 1500 Rawlins, Wyoming 82301-1500
BYRON BUNGER	EPA Mail Code 6602J	401 M ST SW Washington DC 20460
DAVID CROUCH	SOHIO WESTERN	150 E. Social Hall Ave Salt Lake City, UT 84111

* **Provide address ONLY if you want a copy of the meeting minutes sent to you**

NRC/NMA URANIUM RECOVERY MEETING

(November 13-14, 1996 / NRC Headquarters / Rockville, Maryland)

NAME	ORGANIZATION	ADDRESS *
STEPHANIE J BAUER	WESTERN NUCLEAR, INC.	200 UNION BLVD / SUITE 300 LAKEWOOD / CO 80228
PAT MACKIN	CNWRA	6220 CULEBRA ROAD SAN ANTONIO, TX
[illegible]	[illegible]	[illegible]
Loren Morton	UT DEQ/DRC	P.O. Box 144850 SLC, UT 84114-4850
George FitzGerald	TNRCC	TNRCC - MC 131 PO Box 13087 AUSTIN, TX 78711-3087
Dale Kohler	TNRCC	
[illegible]	[illegible]	[illegible]
Richard Blubaugh	ATLAS CORP.	370 17th St., # 3050 DENVER, CO 80202
Ron Judkay	Petrotomics Co.	P.O. Box 8509 Shirley Basin, WY 82615
MARIA SCHWARTZ	NRC/OGC	O-15D18
LEE NUSSER	[illegible]	
RON ZIEGLER	ARCO	307 E PARK AVE STE 400 ANACONDA MT 59711

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Enclosure 3

Presentation Slides from
November 13-14, 1996
NRC/NMA Uranium Recovery Meeting

FINAL MEETING AGENDA

UNITED STATES NUCLEAR REGULATORY COMMISSION/
NATIONAL MINING ASSOCIATION

URANIUM RECOVERY MEETING

NOVEMBER 13, 1996

Times: 8:30 A.M. - 4:30 P.M.

Location: U.S. Nuclear Regulatory Commission
Two White Flint North Auditorium
11545 Rockville Pike
Rockville, MD 20852-2738

8:00 Check-in . . . . . Auditorium

8:30 Introductory Remarks . . . . . Joe Holonich
NRC

Katie Sweeney
NMA

URB Casework . . . . . NRC
- Fiscal Year 1996 accomplishments
- Fiscal Year 1997 projections
- Current DWM staffing and contractor support activities
- Staffing changes
- Selection of contractors/Contractor cost control

Overview of Center for Nuclear Waste Regulatory Analyses . . CNWRA
- Experience with waste issues
- Staff background

NRC's Licensing Approach . . . . . NRC

Method for Determining Minimum Long-Term Care Fund . . . . . NRC

Records Retention Rule and Applicability to Uranium Recovery Industry . . . . . NRC

12:00 Lunch

1:00 NRC Inspection Summary . . . . . NRC, Region IV

NRC Videoconferencing Capabilities/Internet Accessibility . . . NRC

FINAL MEETING AGENDA
(continued)

Update on Groundwater Corrective Action
(Experience to date (ACLs/Title I) . . . . . NRC/DOE

Status of DOE Activities . . . . . DOE

4:30 Adjournment

NOVEMBER 14, 1996

Times: 8:30 A.M. - 4:30 P.M.

Location: U.S. Nuclear Regulatory Commission
Two White Flint North Auditorium
11545 Rockville Pike
Rockville, MD 20852-2738

8:30 Industry Perspective . . . . . NMA, WMA
- Updates on projections for new applications
- Estimate of number of amendments
- Status of Subpart T dates

Site Reclamation Plans and Surety Revisions . . . . . AThompson
Shaw-Pittman

NRC Surety Issues . . . . . NRC

Long-Term Maintenance Fund and UMTRCA . . . . . AThompson
Shaw-Pittman

Open regulatory forum
- Spill reporting
- MILDOS update
- Transmittal of draft/preliminary licenses to licensees
- Progress on NRC position on dual regulation of non-radiological constituents
- Overview of NRC Strategic Assessment as related to uranium recovery licensees

12:00 Lunch

1:00 TECHNICAL WORKSHOP ON VERIFICATION/INSPECTION OF DECOMMISSIONING OF URANIUM MILL SITES . . . . . (NRC/NRC Contractor)

4:30 Adjournment

NOTE: Time for questions and discussion has been allotted at the end of each presentation.

United States
Nuclear Regulatory Commission

URANIUM RECOVERY BRANCH CASEWORK

Presented to:

URANIUM RECOVERY INDUSTRY

By:
Joseph J. Holonich, Chief
Uranium Recovery Branch
Division of Waste Management
Office of Nuclear Material Safety and Safeguards
November 13, 1996

FISCAL YEAR 1996 ACCOMPLISHMENTS

- **Title I**
  - **Completed evaluation of Remedial Action Selection for 2 sites (Slick Rock, Mexican Hat/Monument Valley)**
  - **Completed 2 Completion Report Reviews (Tuba City, Grand Junction)**
  - **Licensed 3 sites for long-term care (Canonsburg, Durango, Shiprock)**
  - **NRC/DOE streamlining initiatives (LTSP and Completion Report reviews)**
  - **Began groundwater work**

FISCAL YEAR 1996 ACCOMPLISHMENTS

- **Title II**
  - **Published Atlas/Moab dEIS/dTER for public comment**
  - **Approved ARCO/Bluewater ACL**
  - **Issued Confirmatory Order to State of Wyoming for ANC/Gas Hills site reclamation**
  - **Settled NMA lawsuit on Timeliness in Decommissioning**
  - **Issued ACL Final Technical Position**
  - **Commission approval of 10-year licenses**

FY 1996 ACCOMPLISHMENTS - TITLE I

	FY 95 (Done)	FY 96 (Budgeted)	FY 96 (Done)
Reclamation Reviews	0	0	2
Completion Reports	1	4	2
RAP Modifications	8	14	8
Construction Visits	0	N/A	N/A
LTSP Reviews	1	1	3
Post-Licensing Actions	2	0	0
Groundwater RAPs	0	N/A	5
Groundwater Developments	0	N/A	2
Generic/Other Documents	25	12	24
Title I Program	37	31	46

FY 1996 ACCOMPLISHMENTS - TITLE II

	FY 95 (Done)	FY 96 (Budgeted)	FY 96 (Done)
New Licenses	0	1	0
License Renewals	1	1	0
Amendments	64	60	103
Reclamation Plan Reviews	2	5	6
LTSP Reviews	0	1	1
Policy Development	6	N/A	26
Industry Workshops	4	N/A	9
HQ Inspection Support	9	11	8
ACL Reviews	0	2	1
Support to States	8	N/A	21
Title II Program	94	81	175

FY 1997 PROJECTED ACTIVITY - TITLE I

	Work	Budget	Variance
Reclamation Reviews	2	2	0
Completion Reports	9	9	0
RAP Modifications	8	8	0
Construction Visits	N/A	N/A	0
LTSP Reviews	7	8	- 1
Post-Licensing Actions	5	5	0
Groundwater RAPs	5	5	0
Groundwater Developments	2	2	0
Generic/Other Documents	15	12	3
Title I Program	53	51	2

FY 1997 PROJECTED ACTIVITY - TITLE II

	Work	Budget	Variance
New Licenses	3	2	1
License Renewals	5	5	0
Amendments	78	60	18
Reclamation Plan Reviews	10	9	1
LTSP Reviews	2	2	0
Post-Licensing Reviews	1	1	0
Policy Development	22	10	12
Industry Workshops	4	4	0
HQ Inspection Support	10	10	0
ACL Reviews	7	4	3
Support to States	20	18	2
Title II Program	162	125	37

FY 1997 PROJECTED ACCOMPLISHMENTS

- **Title I**

  - **Complete evaluation of Remedial Action Selection for final 2 sites (Naturita, Maybell)**

  - **Complete 7 Completion Report Reviews**

  - **License 7 sites for long-term care**

  - **Prepare Standard Review Plan for DOE groundwater reclamation plans**

FY 1997 PROJECTED ACCOMPLISHMENTS

- **Title II**

  - **Licensing reviews for 2 new facilities (HRI/Crownpoint, EFN/Reno Creek)**
  - **Review 5 renewal applications (3 ISLs: Cogema, Pathfinder/North Butte, Crow Butte; and 2 mills: Plateau/Shootaring Canyon, EFN/White Mesa)**
  - **Review 9 reclamation plans**
  - **Complete 4 ACL reviews**
  - **Complete 2 LTSP reviews (ARCO/Bluewater, Day Loma)**
  - **Prepare Standard Review Plans for ISL applications**
  - **Prepare Manual Chapter for ISL inspections**
  - **Prepare revised Manual Chapter for mill inspections**

CURRENT DWM STAFFING AND CONTRACTOR SUPPORT ACTIVITES

	FTE	Funding
Licensing of Operating Facilities	1.9	$ 440K
Amendment/Inspection Support	4.1	$ 115K
Reclamation Reivews	7.9	$ 444K
Groundwater Reviews	3.0	$ 200K
Policy/Guidance/Other	1.7	$ 220K
Program Total	18.6	$1,419K
FY 96 Program Total	15.3	$ 318K

STAFFING CHANGES

- **Changes in uranium recovery program require additional resources:**
  - **Health Physicist, Groundwater Hydrologist, and 3 Project Managers added**
  - **5 FTE in supplemental contractor technical support provided**
- **With addition of Groundwater Hydrologist, URB will be fully staffed**
- **Potential for additional Project Manager reassignments**

SELECTION OF CONTRACTOR/ CONTRACTOR COST CONTROL

- **Center for Nuclear Waste Analyses (CNWRA) has fundamental understanding of NRC mission and regulations**

- **Tasks to be undertaken by CNWRA:**

  - **Standard Review Plan development**
  - **License renewal reviews**
  - **Reclamation plan reviews**
  - **License amendment reviews**
  - **Site inspections**

SELECTION OF CONTRACTOR/ CONTRACTOR COST CONTROL (continued)

- **Cost control through:**
  - **Close contact with NRC management**
  - **Continuous contact with NRC staff**
  - **Reporting and cost control system**

CENTER FOR NUCLEAR WASTE REGULATORY ANALYSES SUPPORT TO NRC URANIUM RECOVERY LICENSING

Presented to the Uranium Mining Industry Workshop
November 13–14, 1996

Presented by
Pat Mackin
CNWRA Uranium Recovery Project Manager

PRESENTATION OUTLINE

- Charter of CNWRA
- Organizational Structure and Staffing
- CNWRA Tasking for NRC Uranium Recovery Licensing Support
- Relevant CNWRA Staff Experience

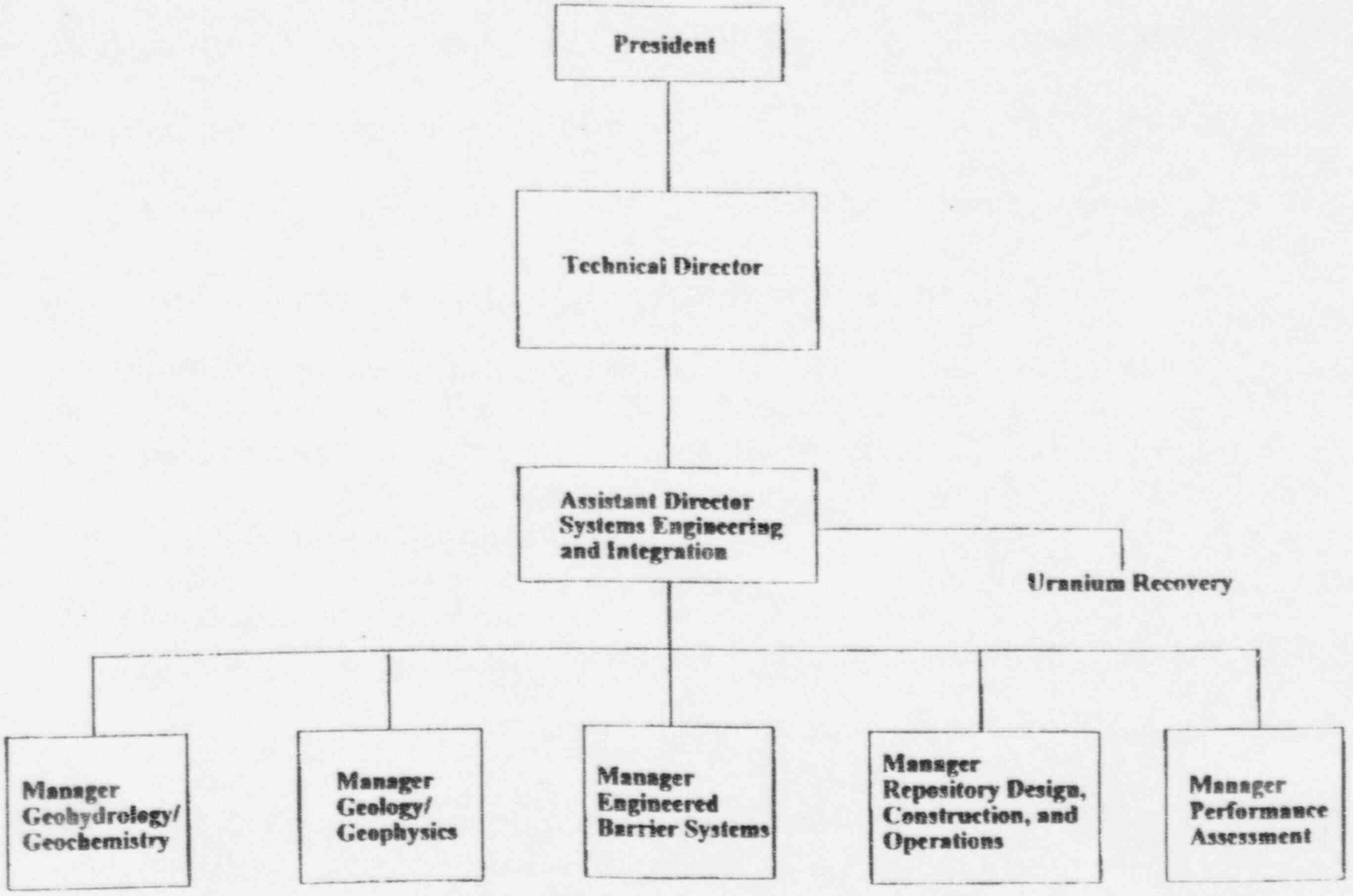
CHARTER OF CNWRA

- Avoid Contractor Conflicts of Interest for NRC Licensing Activities
- Provide Long-Term Continuity of Technical Support to NRC
  - Established 1987
- Establish a Central Capability for Integrated Technical Support
  - Multidisciplinary Problem Solving
  - Experience with NRC Regulatory Process

ORGANIZATIONAL STRUCTURE AND STAFFING

- Separate Business Entity of Southwest Research Institute
  - Not-for-Profit
  - Mission: Help Industry, Business, and Government Solve Scientific and Technological Problems
- Matrix Management Structure
  - Approximately 80 Technical and Support Staff
  - Multidisciplinary Problem Solving
- Areas of Expertise Developed Specifically to Support NRC
  - Hydrology/Climatology
  - Mechanical/Nuclear Engineering
  - Health Physics/Performance Assessment
  - Systems Engineering and Regulatory Analysis
  - Materials Science
  - Geotechnical Engineering
  - Structural Geology/Tectonics
  - Geochemistry

CNWRA ORGANIZATION



CNWRA TASKING FOR NRC URANIUM RECOVERY LICENSING SUPPORT

- Non-Fee-Recoverable
  - Review Plan and Guidance Development
  - Streamline Reviews
  - Consolidate and Update Regulatory Guidance
- Fee-Recoverable: Specific Licensing Actions as Directed
  - License Renewals
  - Reclamation Plans
  - Inspections
  - ACLs
  - Amendments
  - Seismic Reviews
- Staff Requirements
  - Geochemistry
  - Hydrology
  - Health Physics
  - Geotechnical Engineering
  - Regulatory Analysis

RELEVANT CNWRA STAFF EXPERIENCE

- All Areas
  - Development of Standard Review Plans
  - Preparation of Staff/Branch Technical Positions
  - Review of Applicant Technical Reports
  - Participation in Rulemakings
- Geochemistry
  - Uranium Chemistry in Soils
  - Chemistry of Solution Mining

RELEVANT CNWRA STAFF EXPERIENCE

- Hydrology
  - Analysis of Wellfield Capture Zones
  - Behavior of Contaminant Plumes
  - Design of Monitoring Well systems
  - Measurement of Soil Properties
- Health Physics
  - Dose Calculations
  - Radiological Risk Assessment
  - Evaluation of Occupational Radiation Exposures
  - Analysis of Radiological Environmental Monitoring Data

RELEVANT CNWRA STAFF EXPERIENCE

- Geotechnical Engineering
  - Evaluation of Slope Stability for Open Pit Mines
  - Seismic Assessment
- Regulatory Analysis
  - Identification and Correction of Regulatory Uncertainties
  - Participation in Rulemakings Related to Site Characterization and Facility Design
  - Identification and Prioritization of Technical Uncertainties in the Regulatory Framework

SUMMARY

- CNWRA Exists to Provide Centralized, Integrated Technical and Regulatory Support to NRC
- Areas of Expertise Are Applicable to Uranium Recovery Licensing
- Purpose of CNWRA Uranium Recovery Contract Is to Help Reduce Casework Backlog
  - Standard Review Plan Development
  - Specific Licensing Reviews

United States
Nuclear Regulatory Commission

NRC'S LICENSING APPROACH

Presented to:

URANIUM RECOVERY INDUSTRY

By:
Joseph J. Holonich, Chief
Uranium Recovery Branch
Division of Waste Management
Office of Nuclear Material Safety and Safeguards
November 13, 1996

BASIC NRC FRAMEWORK

The NRC and its licensees share a common responsibility to protect the public healthy and safety. Federal regulations and the NRC regulatory program are important elements in the protection of the public. NRC licensees, however, have the primary responsibility for the safe use of nuclear material. (NUREG-1350, Volume 7, "Nuclear Regulatory Commission Information Digest," 1996 Edition)

IMPLEMENTATION OF THAT FRAMEWORK

- **NRC does not select site or designs, or participate with licensees or applicants on selecting proposed sites or designs**

- **NRC actions reflect NRC's functional role as an independent regulatory agency**

  - **Grant the application**
  - **Grant the application subject to certain conditions agreed upon by licensee or applicant**
  - **Deny the application**

- **Other than rejecting a licensee's proposal, NRC has no power to compel a licensee to come forward or to require a licensee to prepare a totally different proposal**

NRC'S REGULATORY ROLE

- **Develop regulations and guidance**
- **Review applications for proposed actions to determine if compliance with regulations has been achieved**
- **Burden of proof is on licensee or applicant to prove that regulations are met and to ensure continued compliance with regulations**

FRAMEWORK OF NRC SAFETY REVIEW

- **Staff must work within legislative, regulatory, and policy framework**

- **Focus of review is a determination if proposal meets regulations**

- **Requirements that are used in the review:**

  - **Standards developed by EPA for Title I reviews**
  - **Conforming regulations issued by NRC in 10 CFR Part 40**
  - **Regulatory Guidance, as applicable**

BASIC PHILOSOPHY ON SAFETY REVIEWS

- **Safety Reviews Involve:**
  - **Looking for an acceptable solutions not necessarily the best solution**
  - **If proposal meets applicable regulations, NRC has no basis for requiring something different**
  - **On an audit basis, ensures construction and operation are done consistent with accepted design**
- **Licensee or applicant must keep detailed records to show that activities are being done consistent with regulations and license**

BASIC PHILOSOPHY ON SAFETY REVIEWS (continued)

- **Appropriate scope of safety reviews**
  - **To ensure efficient use of resources, scope of reviews need to be defined**
  - **Review should focus on regulatory truth not scientific precision**
  - **Within defined scope, conduct sound technical review to determine acceptability of proposal**

ADDITIONAL STATUTORY FRAMEWORK FOR URANIUM RECOVERY

84a. The Commission shall insure that the management of any byproduct material, as defined in section 11e.(2), is carried out in such a manner as (1) the Commission deems appropriate to protect the public health and safety and the environment from radiological and nonradiological hazards associated with the processing and with the possession and transfer of such material taking into account the risk to the public health, safety, and the environment, with due consideration of the economic costs ... (emphasis added)

(Atomic Energy Act of 1954, as Amended, Section 84a.(1))

NRC ENVIRONMENTAL EVALUATION

- **Used to assess environmental impact**
- **All licensing actions require an Environmental Assessment, unless an Environmental Impact Statement (EIS) is issued or the action is categorically excluded**
- **Main focus is on licensee proposal**

NRC ENVIRONMENTAL EVALUATION (continued)

- **For EIS, analysis of alternatives is at a reconnaissance level**
  - **Reconnaissance-level information has been extensively used to identify potentially significant environmental impacts**
  - **It may be possible to optimize designs or provide more detailed impact**
  - **Highly unlikely that detailed examination of the alternatives would reveal significant environmental impact that would escape reconnaissance-level information**

NRC ENVIRONMENTAL EVALUATION (continued)

- **Environmental Assessment**
  - **Finding of No Significant Impact (FONSI)**
  - **Determine that an EIS is needed**
- **NRC denial of an application on environmental grounds**
  - **Environmental impact of proposed action unacceptable**
  - **Alterative found obviously superior (Including environmental impact and cost of alternative as compared to licensee proposal)**

TECHNICAL vs. ENVIRONMENTAL REPORTS

- **Technical Evaluation Report (TER)**
  - **Describes NRC safety review**
  - **Basis for NRC decision**
  - **All open items must be closed**
- **NRC Environmental Review Reports**
  - **Access environmental impact of licensee proposal**
  - **In some cases, environmental review is used to impose conditions or changes to a licensee's proposal**

TECHNICAL vs. ENVIRONMENTAL REPORTS (continued)

- **NRC Environmental Review Reports (continued)**
  - **Environmental review assumes all technical issues identified will be acceptably resolved**
- **Environmental review does not play an action forcing role in NRC decision unless:**
  - **Proposed action found environmentally unacceptable**
  - **Alternatives obviously superior**

OPPORTUNITY FOR HEARING

- **Informal Hearings are governed by Subpart L of the Rules of Practice in 10 CFR Part 2**

- **Opportunity for member of the public to petition for hearing (10 CFR 2.1205(c))**

  - **Thirty days after publication of Federal Register Notice (FRN)**
  - **If an FRN is not published, 30 days after actual notice of a pending application or the requester receives actual notice of the action**
  - **One hundred and eighty days after agency action granting application**

OPPORTUNITY FOR HEARING (continued)

- **Licensees and applicants may request a hearing within 30 days after denial of application**
- **Staff participation in hearing**
  - **Staff does not have to participate in an informal Subpart L hearing**
  - **If staff participates, it will defend the basis for its finding, but not the proposed action**
  - **Licensee will defend proposed action**

REGULATORY GUIDANCE

- **Types**
  - **Review Plans**
  - **Regulatory Guides**
  - **Branch Technical Positions**
- **Difference between regulations and guidance:**
  - **Compliance with regulations mandatory unless exemption issued**
  - **Regulatory guidance make available acceptable methods for demonstrating compliance with regulations**

REGULATORY GUIDANCE
(continued)

- **Following guidance helps ensure staff review is more timely and efficient**

- **Selection of different methods acceptable if requisite demonstration of safety can be made**

United States
Nuclear Regulatory Commission

METHOD FOR DETERMINING MINIMUM LONG-TERM CARE FUND

Presented to:

URANIUM RECOVERY INDUSTRY

By:
Richard H. Turtil
Low-Level Waste and Decommissioning
Projects Branch
Division of Waste Management
Office of Nuclear Material Safety and Safeguards
November 14, 1996

OUTLINE

- **Current Long-Term Care Fund Calculation**
- **Procedure for Determining Minimum Long-Term Care Fund**

- **The Long-Term Care Fund Calculation:**

  - **Based on Consumer Price Index - All Urban Consumers (CPI-U)**

  - **10 CFR Part 40, Appendix A, Criterion 10 requires $250,000 in 1978 dollars (December 1978 CPI = 67.7)**

Today's dollars:

$$\$250{,}000 \times \frac{\text{November '96 CPI-U}}{\text{December '78 CPI-U}}$$

However, CPI-U data for September, October, November '96 not available at this time.

- **Procedure for Determining Minimum Long-Term Care Fund**
  - **Cost adjustment for most recent months for which CPI data does not exist is based on last available CPI-U figure, and applied to remaining months**

Example

Last available data is for August 1996 CPI-U = 157.3
December 1978 CPI-U = 67.7

$$\$250{,}000 \times \frac{August\ '96\ CPI\text{-}U}{December\ '78\ CPI\text{-}U}$$

= $580,871 Through August 1996.

Other data: July 1996 CPI-U = 157

The Consumer Price Index has increased .19% from July to August, 1996.

.19% is applied to long-term care fund for each additional month beyond August 1996

September, October, and November = 3 x .19 = .57%

November calculation would = $580,871 x 1.0057 = $584,182

United States
Nuclear Regulatory Commission

Records Retention Rule and Applicability to the Uranium Recovery Industry

Presented By:
Janet A. Lambert, Project Manager
Uranium Recovery Branch
Division of Waste Management
Office of Nuclear Material Safety and Safeguards
November 13, 1996

RECORDS RETENTION RULE:

"Termination and Transfer of Licensed Activities: Record Keeping Requirements"

Background:

- **NRC issued amendments to the record keeping requirements in Parts 20, 30, 40, 61, 70, and 72 in May 1996.**
- **The amendments address the disposition of licensee records when licenses are terminated or transferred.**

Background (Continued)

- **The purpose was to ensure that certain necessary records are maintained and kept available for the entire licensing history of a facility in the event that safety concerns related to licensed operations arise after license termination.**

- **Changes have been in effect since June 1996.**

RECORDS RETENTION RULE

Major Requirements

For the sale or transfer of ownership of a Licensed facility

- **Certain records pertaining to decommissioning, off-site releases, and waste disposal that are maintained routinely by a licensee, must be transferred to the new licensee or new operator prior to sale or transfer.**

- **Records from the previous licensees will become part of the new licensee's records and will be used by the new licensee to plan and carry out decommissioning.**

For License Termination

- **Prior to license termination, all of these records will be forwarded to NRC, or to the appropriate Agreement state, to be maintained as a permanent record.**

- **Applies to all licenses authorized to possess unsealed source material or unsealed byproduct material with half lives over 120 days.**

RECORDS RETENTION RULE

Records that Must be Transferred:

- **Those that the Commission considers important to decommissioning.**
- **Those concerning waste disposals that would be permitted under §20.2002 (including burials authorized before January 28, 1981), 20.2003, 20.2004, and 20.2005**
- **Results of measurements or calculations used to evaluate off-site releases to the environment in § 20.2103 (b)(4) that would be necessary to remediate off-site contamination.**

RECORDS RETENTION RULE

Applicability to Uranium Recovery Industry

- **Applies to all uranium recovery licensees**
- **For ISL's would include records of spills**
- **Burden on licensees should be minimal**
  - **includes only files/records that licensees are already required to maintain**
  - **no requirement to organize records for NRC**
  - **records/files can be stored and or transferred in hard copy or electronically**

Applicability to Uranium Recovery Industry (Contiued)

- **Uranium recovery records should be sent to Region IV**

- **Once files are sent to NRC, they will be available through FOIA process, exclusive of any proprietary information.**

Uranium Recovery Inspection Program

Charles L. Cain
Division of Nuclear Materials Safety
Region IV

Inspection Frequencies

Twice per year for operating facilities

Once per year for others unless special inspections are required

1996 Accomplishments

31 inspections of 25 licensees

- 4 included ORISE accompaniments
- 9 included HQ staff accompaniments
- 3 included collection & analysis of soil samples

Headquarters Support

NRC focus on two aspects of construction:

- "As-constructed" versus "As-designed"

- Construction records verify construction done properly

Headquarters staff review groundwater aspects of ISL operations

Inspection Findings

8 violations cited

11 violations not cited

Inspection Findings

Of the 8 violations cited, 5 of these were related to failure to establish procedures or to report to the NRC

Escalated Enforcement

One case involving deliberate violation of procedures

Action taken against individual rather than licensee

Recommendations

Heed committments in submittals

Establish procedures required by license

Organize records to reduce inspection time (and fees)

United States
Nuclear Regulatory Commission

VIDEOCONFERENCING AT THE NUCLEAR REGULATORY COMMISSION

Since May 1996

CAPABILITIES

- **Point-to-Point Conference**
- **Point to Multipoint**
- **Satellite Downlink**
- **NRC Broadband Network Broadcast**

EQUIPMENT

- **Picture-Tel - Concord 4500**

- **Media Support**
  - **PC Media presentation (Internet, Powerpoint, etc.)**
  - **35mm Slides**
  - **Document Stand (vugraphs, objects, etc)**
  - **VCR**
  - **Digital Camera**
  - **Fax**
  - **Compatible with industry standard H.320**

SCHEDULING

- **Set up definite meeting dates/times with appropriate project manager**

- **Contact Anne Garcia for all other necessary information (301) 415-6631**

U.S. NUCLEAR REGULATORY COMMISSION

ELECTRONIC SOURCES OF INFORMATION

AGENCY SOURCES

- NRC AT FEDWORLD
- NRC ON THE WORLD WIDE WEB
- NRC STAND-ALONE BULLETIN BOARDS
- NRC LIST SERVER SYSTEM AND ELECTRONIC MAIL
- RULENET

NRC AT FEDWORLD

FEDWORLD

A comprehensive central access point for locating and obtaining federal government information

INCLUDES: FTP SITES

BULLETIN BOARD SYSTEMS

WORLD WIDE WEB LINKS

NRC AT FEDWORLD INCLUDES

BULLETIN BOARD SYSTEMS (BBS)

FTP SITES

NRC INFORMATION AT FEDWORLD

- NRC RULEMAKINGS IN PROGRESS
- NRC STRATEGIC ASSESSMENT AND REBASELINING INITIATIVE
- DRAFT NUREG DOCUMENTS
- DRAFT REGULATORY GUIDES
- GENERIC COMMUNICATIONS
- NRC BULLETINS

NRC INFORMATION AT FEDWORLD

- GENERIC LETTERS
- INFORMATION NOTICES
- ADMINISTRATIVE LETTERS
- CIRCULARS
- OTHER PUBLICLY RELEASED DOCUMENTS RELATED TO NRC LICENSING AND RULEMAKING ACTIVITIES

NRC RULEMAKING ON FEDWORLD

- FIND AND ACCESS DOCUMENTS
- READ PUBLIC COMMENTS
- PROVIDE PUBLIC COMMENTS THROUGH ELECTRONIC MAIL

NOTES ABOUT COMMENTS

COMMENTS IN PUBLIC COMMENT LIBRARY INCLUDE ELECTRONIC COMMENTS AND TRADITIONAL COMMENTS

ALL COMMENTS ARE DOCKETED BEFORE PLACEMENT IN PUBLIC COMMENT LIBRARY

ELECTRONIC COMMENTS

CHECKED FOR VIRUS BEFORE BEING POSTED

TRADITIONAL COMMENTS

SCANNED ELECTRONICALLY TO ALLOW POSTING

NOTIFICATION

POSTCARD WILL ACKNOWLEDGE RECEIPT
OF ELECTRONIC COMMENT

POSTCARD IS SENT AFTER DOCKETING

NRC AT FEDWORLD

LOCATION/ACCESS:

FEDWORLD (ALL)	MODEM (703-321-3339)
NRC @ FEDWORLD	MODEM (800-303-9672)
TELNET	fedworld.gov
FTP	ftp.fedworld.gov
WORLD WIDE WEB	www.fedworld.gov

NRC AT FEDWORLD

FEDWORLD HELP DESK

PHONE: 703-487-4608

E-MAIL: HELPDESK@FEDWORLD.GOV

NRC AT FEDWORLD

ARTHUR DAVIS (PROGRAM MANAGER)

PHONE: 301-415-5780

E-MAIL: AXD3@NRC.GOV

NRC

STAND-ALONE

BULLETIN BOARD SYSTEMS

ACCESS

- DIRECT DIAL-UP ACCESS
- THROUGH FEDWORLD

CONTENTS

ACCESS NUMBERS

TECH SPECS PLUS DIRECT ACCESS (MODEM)	800-679-5784 301-415-1178
PUBLIC MEETING NOTICE SYSTEM	800-952-9676 301-415-5088
BIBLIOGRAPHIC RETRIEVAL SYSTEM (PASSWORD REQUIRED -- CALL 800-397-4209)	800-270-2787 202-634-1421

NRC LIST SERVER

AND

ELECTRONIC MAIL

NRC LIST SERVER

MODERATED LISTS

MESSAGES ONLY ORIGINATE FROM LIST MANAGER

UNMODERATED LISTS

MESSAGES CAN BE POSTED FROM ANY SUBSCRIBER

SUBSCRIPTION

SUBSCRIBE

TO: listproc@nrc.gov

SUBJECT:

MESSAGE: subscribe [list-name]
[your first name and last name]

UNSUBSCRIBE

TO: listproc@ nrc.gov

SUBJECT:

MESSAGE: unsubscribe [list-name]

LIST SERVERS

DR-NRR (MODERATED)	DAILY REPORT OF PLANT STATUS, EVENT NOTIFICATIONS, AND NRC MORNING REPORTS
GC-NRR (MODERATED)	NEW NRC GENERIC COMMUNICATIONS
PR-OPA (MODERATED)	NRC PRESS RELEASES, SPEECHES AND OTHER INFO.
TS-NRR (UNMODERATED)	INFORMATION EXCHANGE ON TECHNICAL SPECIFICATIONS

ELECTRONIC MAIL INFORMATION

PUBLIC DOCUMENT ROOM

pdr@nrc.gov

OFFICE OF PUBLIC AFFAIRS

opa@nrc.gov

SCHEDULES OF PUBLIC MEETINGS

(SOME AVAILABLE)

alb@nrc.gov

NRC ELECTRONIC MAIL ADDRESSES

NUKE HOME PAGE

http://www.nuke.westlab.com/Addresses/

NRC_Address.html

NRC ON THE WORLD WIDE WEB

WORLD WIDE WEB SITES

U.S. NUCLEAR REGULATORY COMMISSION

http://www.nrc.gov

NRC AT FEDWORLD

http://www.fedworld.gov

WORLD WIDE WEB SITES

RULENET

http://nssc.llnl.gov/RuleNet

NRC'S LICENSING SUPPORT SYSTEM TEST BED

http://lssnet-test.cnwra.swri.edu

U.S. NUCLEAR

REGULATORY COMMISSION

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ABILITY TO TELNET FROM FEDWORLD WWW SITE

ADVANTAGE

USE OF BROWSER UTILITILIES AND SEARCH UTILITIES

DISADVANTAGE

CANNOT PROVIDE COMMENTS ON RULEMAKING WHEN CONNECTED THROUGH WWW

RULENET PILOT PROJECT

RULENET OBJECTIVES

(1) MAXIMIZE COMMUNICATION BETWEEN NRC AND THE PUBLIC ON A NUCLEAR POWER PLANT SAFETY ISSUE

(2) TEST THE USEFULNESS OF COMPUTER-BASED COMMUNICATIONS AS A TOOL IN THE RULEMAKING PROCESS

RULENET CONCEPT

USE COMPUTER TECHNOLOGY TO ALLOW PARTICIPANTS TO:

COMMUNICATE AMONG THEMSELVES

AND

COMMUNICATE WITH NRC

WITH THE OBJECTIVES OF:

DEFINING ISSUES

ELIMINATING UNDERSTANDING

FINDING AREAS OF COMMON GROUND

RULENET POTENTIAL

OPEN PARTICIPATION IN THE PROCESS TO WIDER AUDIENCE

MAKE THE PARTICIPATION OF ALL INTERESTED PARTIES SIGNIFICANTLY MORE EFFECTIVE AND INFLUENTIAL

RULENET STRUCTURES

ELECTRONIC FORUM

MODERATED/FACILITATED CONVERSATION SPACES

COMMONS

UNMODERATED CONVERSATION SPACE

CAUCUSES

DISCUSSION AMONG ALL PARTICIPANTS

OR

DISCUSSION AMONG INTERESTED SUB-GROUP

ACCESS OPTIONS/NEEDS

FULL PARTICIPATION REQUIRES
INTERNET ACCESS AND WEB BROWSER

PARTIAL PARTICIPATION (THROUGH E-MAIL) REQUIRES
INTERNET ACCESS AND ELECTRONIC MAIL

PARTICIPATION IN PROPOSED RULE CHANGE,
BUT NOT RULENET REQUIRES

MAIL
OR
ACCESS TO NRC HEADQUARTERS

RULENET INFORMATION

http://nssc.llnl.gov/RuleNet
(FOR WWW ACCESS)

Electronic-Forum@nssc.llnl.gov
(GET COMMENTS)

RuleNet@nssc.llnl.gov
(ORDER FREQUENTLY ASKED QUESTIONS)

RULENET STATUS

FIRE PROTECTION FORUMS CLOSED 2-9-96

United States
Nuclear Regulatory Commission

GROUNDWATER MONITORING AT MILL SITES

Presented to:

URANIUM RECOVERY INDUSTRY

By:
Joseph J. Holonich, Chief
Uranium Recovery Branch
Division of Waste Management
Office of Nuclear Material Safety and Safeguards
November 13, 1996

GROUNDWATER MONITORING AT MILL SITES

Issue: **Whether or not to require licensees to increase groundwater monitoring by testing for additional site-specific constituents at certain times**

Background: **State of Utah requests: (1) require Atlas Corporation to increase the list of monitored constituents at Moab site; (2) require monitoring of constituents on a set frequency (e.g., annually)**

OPTIONS

- **Generic issue that could affect all mills**
- **Three options examined by NRC staff:**
  - **One-time measurement of all constituents of concern at the time of license termination**
  - **Measurement of all constituents on concern on 3 specific occasions: (1) once within next year; (2) at termination of groundwater CAP; and (3) before license termination**
  - **Routine periodic measurement of all constituents of concern, as recommended by State of Utah**

SELECTED APPROACH

- **Option selected: One-time measurement at license termination**

  Licensee to provide a single, one-time measurement of a full suite of site-specific constituents of concern to NRC, before license can be terminated

- **Additional flexibility provided to allow NRC and Agreement States to require additional monitoring at specific sites, if warranted, based on site-specific conditions that cause uncertainty in site performance**

- **Encourage licensees to monitor before termination of CAP**

U.S. Department of Energy

Status of Title II Sites

November 13, 1996

U.S. Department of Energy
Albuquerque Operations Office

Joe Virgona
U.S. Department of Energy
Grand Junction Office
2597 B 3/4 Road
Grand Junction Colorado 81503
(970) 248-6006

Carl Jacobson, MACTEC–ERS (970) 248-6568
Mark Plessinger, MACTEC–ERS (970) 248-6571

Status of DOE Site Transfer Actions

- TVA-Edgemont site transfer completed June 17, 1996
- TVA-Edgemont records for permanent site file received by DOE
- ARCO-Bluewater Final Draft LTSP in review at NRC
- State of New Mexico discussing possible groundwater monitoring requirements for ARCO-Bluewater site

Status of DOE Site Transfer Actions (continued)

- State of Colorado formally declined its option to be long-term custodian for the Hecla-Durita and UMETCO-Maybell sites
- Further inspection and reporting cost reductions achieved
- DOE met with State of Washington, Spokane Tribe, NRC, and Western Nuclear Inc. (WNI) in Spokane to discuss transfer of WNI-Sherwood site

U.S. Department of Energy

1996 Title II Site Visits by DOE Grand Junction Office

- Exxon-Highlands: May 14 and September 30, 1996
- Union Pacific-Bear Creek: May 14, 1996
- Pathfinder-Shirley Basin: May 15, 1996
- Petrotomics-Shirley Basin: May 15, 1996
- ARCO-Bluewater: September 24, 1996
- Kennecott (SOHIO) Western-L-Bar: October 15, 1996

Other Site Transfer Considerations

- Current licensee should formally notify DOE of intent to transfer site to DOE
- Current licensee should take a proactive approach in obtaining clear title to property intended for transfer to DOE
- Current licensee should consider if any easements are necessary for unimpeded site access and, if so, take a proactive approach to obtaining those easements
- Current licensees should ensure that sites are free of unwanted buildings, derelict equipment, or trash before site transfer
- DOE may be required to make payments in lieu of taxes

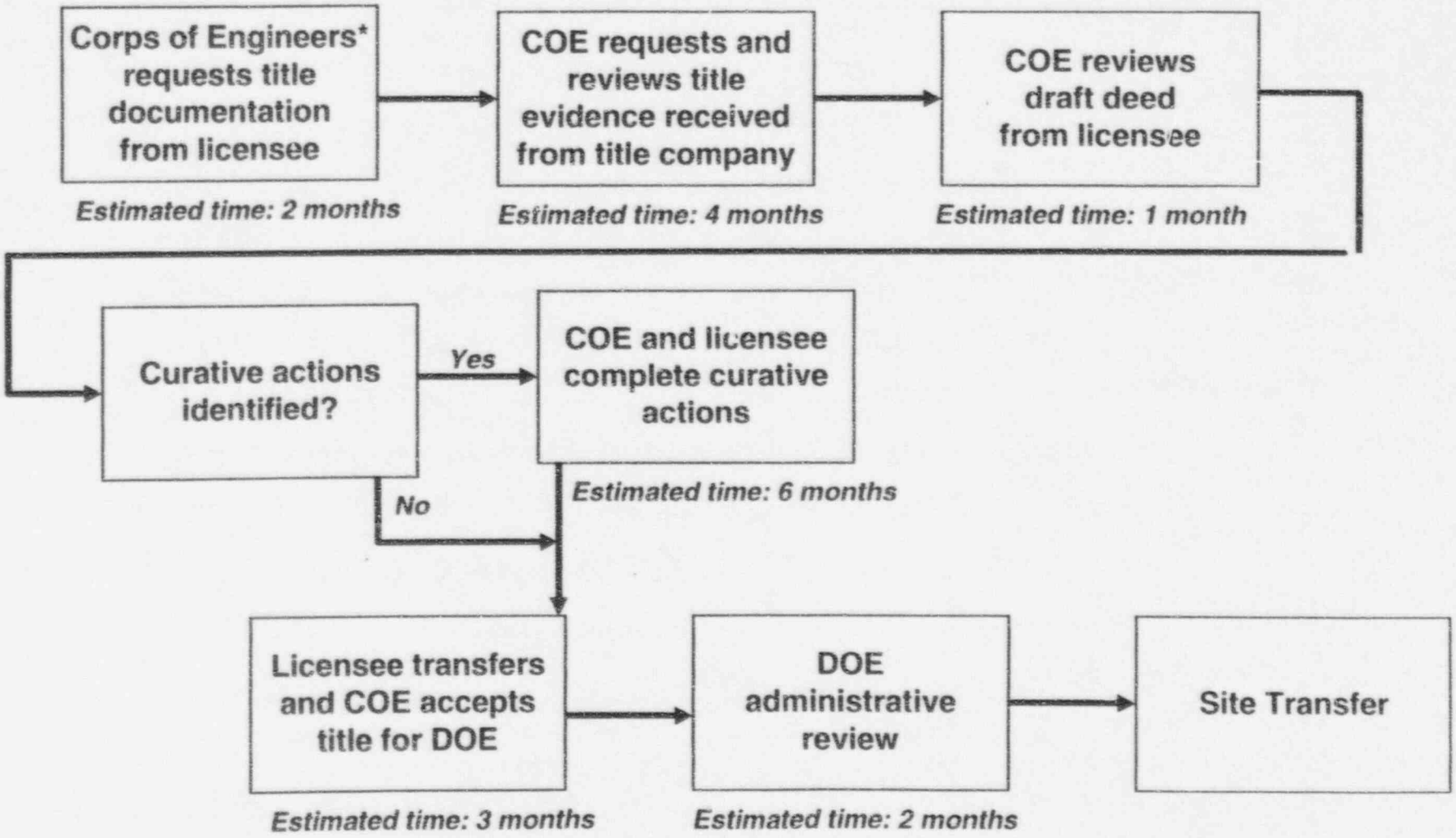
Timetable for Licensee Site Transfer Actions

- Begin activities associated with obtaining clear title to property that is to be transferred
- Formally notify DOE of intent to transfer site 2 years before anticipated transfer date
- Provide DOE with site background and reclamation design information beginning after formal notification
- Provide DOE with opportunity to visit site approximately 1 year before anticipated site transfer date
- Provide DOE with information necessary to complete LTSP, as requested, during the final year before site transfer
- DOE may want to visit completed site before transfer for a final site orientation

Miscellaneous Property Transfer Items

- Mineral rights should be acquired
- Mineral rights that cannot be acquired must be subordinated to the Government's use of the property
- Rights-of-way are acceptable provided they do not interfere with the Government's use of the property; rights-of-way will be addressed on a case-by-case basis
- Transfer of Government-owned land should not require involvement of transferee in reclamation decisions
- Area to be transferred in support of an ACL petition with a proposed distant POE requires DOE approval
- DOE will make decisions on case-by-case basis for ACLs with distant POEs

Procedure for Site Transfer—Title Transfer



*On behalf of DOE.

United States
Nuclear Regulatory Commission

NRC SURETY ISSUES

Presented to:

URANIUM RECOVERY INDUSTRY

By:
Joseph J. Holonich, Chief
Uranium Recovery Branch
Division of Waste Management
Office of Nuclear Material Safety and Safeguards
November 14, 1996

OUTLINE

- **Accuracy of Sureties**
- **Submittal of Sureties**

ACCURACY OF SURETIES

- **Annual surety updates should reflect:**
  - **Changes submitted to reclamation plans still under NRC review, as allowed under Appendix A of 10 CFR Part 40**
  - **Costed-out information for proposed changes**
  - **Cost of remaining site reclamation and groundwater cleanup, rather than simply subtraction of cost of completed work from current surety**
- **NRC review ensures that proposed surety amount is sufficient to complete remaining reclamation/groundwater cleanup work**

SUBMITTAL OF SURETIES

- **Licensee should provide by certified mail, with docket number clearly identified on transmittal letter and surety instrument**

- **Address to:**

  Chief, Uranium Recovery Branch,
  Division of Waste Management,
  Office of Nuclear Material Safety and Safeguards,
  U.S. Nuclear Regulatory Commission,
  Washington, D.C. 20555

- **This ensures that updated sureties and surety documents are appropriately routed upon receipt by NRC**

United States
Nuclear Regulatory Commission

INTRODUCTION TO THE WORKSHOP SESSION ON DECOMMISSIONING OF MILL SITES

Presented to:

URANIUM RECOVERY INDUSTRY

By:
Elaine S. Brummett
Uranium Recovery Branch
Division of Waste Management
Office of Nuclear Material Safety and Safeguards
November 14, 1996

TOPICS

- **Background information**
- **Oak Ridge Institute for Science and Education (ORISE) presentation**
- **Five minute break**
- **Detailed discussion of specific items**

BACKGROUND INFORMATION

- **Decision to streamline confirmatory surveys**
  - **Emphasis on inspecting site cleanup and verification**
  - **Reduce confirmatory surveys**
  - **Rely on accepted cleanup reports - unless major problems identified during inspections**
- **ORISE as contractor to assist with:**
  - **Generic plan**
  - **Decommissioning inspections**

(background con't)

- **Varing level of details on cleanup and verification in Reclamation Plan**
  - **Approved methods must provide adequate data**
  - **Need detailed information in completion reports to show areas of cleanup and compliance with standards**
- **Guidance - current and in development**
  - **Manual Chapters**
  - **Inspection Procedures**
  - **Multi-Agency Radiation Survey and Site Investigation Manual (MARSSIM)**

SPECIFIC ITEMS FOR DISCUSSION

- **U-238 and Th-230**
  - **Characterization & cleanup guidelines**
  - **As Low As Reasonably Achievable**
- **NRC expectations for the cleanup completion report**
  - **Statistical approach**
  - **Adequate procedures to cover quality assurance, traceability of data**
  - **Verification data for buildings and equipment**
- **Radon flux measurements**

Enclosure 4

Supplemental Handouts from November 13-14, 1996 NRC/NMA Uranium Recovery Meeting

Rules and Regulations

Federal Register
Vol. 61, No. 96
Thursday, May 16, 1996

DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration

7 CFR Parts 800 and 810

RIN 0580–AA14

United States Standards for Barley

AGENCY: Grain Inspection, Packers and Stockyards Administration, USDA.

ACTION: Final rule; postponement of effective date.

SUMMARY: This document postpones the effective date of the final rule (61 FR 18486) to revise the United States Standards for Barley from June 1, 1996, until June 1, 1997. This action is being taken to postpone the implementation of the United States Standards for Barley from the beginning of the 1996 marketing season to the beginning of the 1997 marketing season. The extension of the effective date is being taken to prevent disruption in the marketing of Barley on the domestic and international markets. Postponing the effective date to the beginning of the 1997 marketing season will allow adequate time for the market to make adjustments to the changes being made in the standards.

EFFECTIVE DATE: The effective date of the final rule is postponed from June 1, 1996, to June 1, 1997.

FOR FURTHER INFORMATION CONTACT: George Wollam, USDA, GIPSA, Room 0623, South Building, P.O. Box 96454, Washington, D.C. 20090–6454; Telephone (202) 720–0292; FAX (202) 720–4628.

SUPPLEMENTARY INFORMATION: On March 22, 1995, the Grain Inspection, Packers and Stockyards Administration (GIPSA), U.S. Department of Agriculture, under authority of the United States Grain Standards Act, as amended published a proposed rule (60 FR 15075) to revise the United States Standards for Barley. The proposed rule was adopted, with changes, and a final rule was published on April 26, 1996, (61 FR 18486), with an effective date of June 1, 1996.

Since the publication of the final rule, GIPSA has determined it is in the best interest of the barley market to postpone the effective date. Immediate implementation may not generate anticipated benefits to the market but may adversely affect merchandisers of grain, especially because of contracting concerns. After consultation with the trade and taking into account trade views both for and against a change in the effective date, GIPSA determined that it would be less disruptive if the effective date for implementing the revisions to the United States Standards for Barley were changed from June 1, 1996 to June 1, 1997. Also providing a one year delay in implementing the standards would allow for seasonal adjustment of markets.

Background

On page 18490, in the third column, second paragraph, the second and third sentences "Pursuant to that section of the Act, it has been determined that in the public interest the revision becomes effective June 1, 1996. This effective date will coincide with the beginning of the 1996 crop year and facilitate domestic and export marketing of barley" are revised to read "It has been determined that in the public interest the revision becomes effective June 1, 1997. This effective date will coincide with the beginning of the 1997 crop year and facilitate domestic and export marketing of barley".

Authority: Pub. L. 94–582, 90 Stat. 2867, as amended (7 U.S.C. 71 et seq.).

Dated: May 8, 1996.

David Orr,

Acting Administrator.

[FR Doc. 96–11974 Filed 5–15–96; 8:45 am]
BILLING CODE 3410–EN–P

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 20, 30, 40, 61, 70, and 72

RIN 3150–AF17

Termination or Transfer of Licensed Activities: Recordkeeping Requirements

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is amending its regulations pertaining to the disposition of certain records when a licensee terminates licensed activities or licensed activities are transferred to another licensee. The final rule requires a licensee to transfer records pertaining to decommissioning, and certain records pertaining to offsite releases and waste disposal, to the new licensee if licensed activities will continue at the same site, and it requires the new licensee to forward these same records to the NRC before the license is terminated.

EFFECTIVE DATE: June 17, 1996.

FOR FURTHER INFORMATION CONTACT: Mary L. Thomas, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington D 20555–0001, telephone (301) 415–6230 e-mail MLT1@NRC.GOV.

SUPPLEMENTARY INFORMATION:

I. Background

While evaluating an incident involving some offsite contamination, the NRC identified a deficiency in the current recordkeeping requirements. The NRC was unable to determine how much radioactive material was release to a sanitary sewerage system because records of previous releases by the original holder of the license were not available. In addition, the regulations were unclear with regard to the final disposition of these records when licensed activities have ceased and the license is terminated. A proposed rule requiring licensees to forward certain records to the NRC once licensed activities ceased, or to a new owner if they would be taking over licensed activities, was published for comment in the **Federal Register** on December 1994 (59 FR 66814).

II. Discussion of Comments and Summary of Requirements in the Final Rule

This section includes a discussion of the significant issues raised by public comment and how they were addressed. Six comment letters were received on the proposed rule, 3 from Agreement States, 1 from a licensee, and two from public interest groups. Three supported the proposed rule, and three (from Agreement States) questioned the benefit in adopting these requirements.

Public Comments

1. Need for the Rule and Expected Benefit

Comments. Two commenters stated that the NRC has not demonstrated the need for the rule on the basis of one incident. They also stated that the NRC did not demonstrate how the proposed regulations and their commensurate costs would assist licensees, the NRC, and the Agreement States in the analysis of the environmental impact from the site. They requested that the NRC provide data that permits evaluation of the actual impact of these regulations.

These same commenters stated that the usefulness of the records in the decisionmaking process should also be demonstrated in each case. They referred to the Objective Section of the Draft Regulatory Analysis, which stated that these records "* * * will provide the NRC with the information needed to assess possible risks associated with licensed activities once a licensee has terminated its license." They believed that this assumption is generally false, and that even if sewer release records were available, an independent evaluation of the environment would still be required.

Response. The intent of the proposed rule was to ensure that records that are required by current regulations to be retained by licensees during licensed operations are available in the event that safety concerns arise after license termination regarding any offsite consequences found to have resulted from licensed operations. Since the NRC may not be able to determine what problems will arise in the future, the best course of action is to have the records available after the license is terminated. The proposed rule specified that the records used by the licensee to demonstrate compliance with the public dose limits and limits on waste disposals were to be forwarded to the NRC prior to license termination or to the new owner if licensed operations were to continue at the site under a new or amended license. In addition, the proposed rule specified that records important for decommissioning be provided to the new licensee prior to license reassignment or transfer. As discussed below, in addition to decommissioning records, the records included in the final rule are: results of offsite release measurements and calculations under § 20.2103(b)(4); and waste disposals authorized under §§ 20.2202, 20.2203, 20.2204, and 20.2205.

In order for the NRC to determine that a licensee has effectively decommissioned its facility, and to authorize license termination, the NRC will review the licensee's evaluation of previous releases to the environment and waste disposals to determine whether there is a need for the licensee to remediate significant offsite contamination as a result of past licensed activities prior to license termination. Licensees are already required to keep these records until license termination.

When transfer of a license to a new entity is approved by the Commission, certain records related to offsite releases of material, including waste disposals, would be needed by the new licensee prior to decommissioning to determine areas where remediation may be needed. In addition, there may be circumstances where it will be necessary for the NRC or other government agencies to evaluate the effects of licensed operations on the environment. Although other information would also be needed to perform an environmental analysis, access to these records would be useful in evaluating potential sources of contamination.

The NRC has re-evaluated the impact of this regulation in the Regulatory Analysis. The records required to be transferred are the records that the licensee is already required to retain until license termination. The burden associated with this rulemaking relates to transfer and subsequent storage of records, and as discussed in the Regulatory Analysis, is not found to be significant.

The final rule has been modified to specify that only decommissioning records and records of offsite releases and waste disposals need to be forwarded to the new licensee in the event of license transfer or re-assignment and that these are the only records that need to be provided to the NRC at license termination. In addition, only licensees authorized to possess unsealed source material or unsealed byproduct material with half-lives greater than 120 days (i.e., licensees that have a potential for significant contamination) will be required to provide records to the new licensee in the event of re-assignment or transfer and to the NRC at license termination. The use of a 120 day half-life for byproduct material was chosen because radioactive material with half-lives less than 120 days would be completely decayed in a few years, and corresponds to the value currently used to determine which licensees must have a decommissioning funding plan. This change in the final rule was made to reduce the burden on a number of licensees that routinely use only sealed sources and, in the case of byproduct material, short-lived isotopes (less than 120 days). Licensees authorized to possess only sealed sources would still be required to retain records of spills involving source ruptures, under current decommissioning recordkeeping requirements. The final rule will require all licensees to forward decommissioning records to the NRC at license termination. Using this criteria the number of licensees affected annually by this rulemaking has decreased from approximately 1700 in the proposed rule to 960 in the final rule.

2. Agreement State Compatibility

Comment. One commenter stated (1) that there was no basis for a Division 2 level of compatibility and (2) that an Agreement State could use other methods, such as actual surveys, to confirm that there was no offsite contamination. In addition, the commenter stated that other costs associated with the proposed rule have not been considered, such as costs associated with inspections, and while the NRC may be able to absorb these costs in "non-core portions of the inspection program," Agreement States do not have this luxury.

Response. The Commission still believes that this rule should be assigned a Division 2 compatibility level for most of the new requirements. The final rule assigns a Division 3 compatibility level for the requirement that records be provided to the regulatory agency prior to license termination. While the NRC believes that it would be prudent for Agreement States to adopt a similar requirement, the final rule assignment of a Division 3 compatibility level for this requirement provides the flexibility for each State to determine which records should be provided to the regulatory agency and retained by it at license termination.

The NRC believes retention of these records will aid in the resolution of potential safety concerns that may be identified after license termination, and

also recognizes that an Agreement State without an equivalent requirement for record retention has the ability to resolve potential future safety concerns. However, this can be achieved by conducting radiological surveys at the formerly licensed site. Without the records, these surveys may need to be greater in number and may be more costly, but the absence of retained records will not preclude an Agreement State from adequately assessing future safety concerns.

Because the Commission has reduced the burden of this rule by limiting the number of licensees affected by this rule, the inspection burden on the Agreement States should not be significantly increased. It is unlikely that any State will have more than 2–3 transfers per year. With respect to other costs, the reporting burden reflects that the time required to index, review, and store the required records has been re-calculated to be an average of 5 hours per license termination or transfer.

3. Regulatory Alternatives

Comment. Two commenters stated that the NRC failed to identify regulatory alternatives that would be as effective as the proposed rule while placing less burden on licensees, the NRC, and Agreement States. As noted in the discussion of Issues 1 and 2, the commenters concluded that any benefit from the proposed rule is questionable. They stated that specific regulatory alternatives that should be considered include, but are not limited to:

a. Perform separate evaluations for the utility of requiring records for offsite releases and for waste disposal, and making independent judgments.

b. Consider limiting the scope of the rules to address only those facilities that possess unsealed sources with long half-lives.

c. Consider all records being provided to the NRC, rather than requiring Agreement States to maintain the records.

d. Eliminate transferring 10 CFR 20.2005 type records (disposal of specific wastes, in quantities less than or equal to 1.85 kilobecquerels per gram of tritium or carbon-14 in scintillation fluids or animal tissue).

Response. The Commission considered possible alternatives to rulemaking. These are addressed in the Regulatory Analysis prepared for this rule. The following information is provided with respect to the specific recommendations of the commenters:

(a) The NRC reconsidered the scope of the proposed rule and decided to limit the records required to those needed to support decommissioning. The Commission has already evaluated the impact and need for decommissioning records in promulgating a final rule addressing recordkeeping requirements for decommissioning (58 FR 39628).

The records included in the final rule are decommissioning records, records of waste disposals that would be permitted under §§ 20.2002 (including any burials authorized before January 28, 1981), 20.2003, 20.2004, 20.2005, and results of measurements and calculations used to evaluate offsite releases (§ 20.2103(b)(4)). These records would be helpful in evaluating the impact of a licensee's past activities. This information can be used by the new licensee receiving the records in developing decommissioning plans and by the regulatory agency to evaluate the adequacy of the licensee's decommissioning activities. With this change, the NRC concluded that for most licensees the overall number of records that would be required to be transferred to the new licensee should not exceed the capacity of several file drawers, even for a license that has been in effect for some time and, therefore, the overall burden associated with the transfer should be small. In addition, the rule permits storage of this information electronically. The final rule also requires that decommissioning records and certain records pertaining to offsite releases and waste disposal be forwarded to the NRC or the appropriate Agreement State prior to license termination.

(b) The NRC has evaluated the suggestion to limit the scope of licensees covered by the rule and has revised the final rule and the Regulatory Analysis to reflect that, for licenses authorized under Parts 30 or 40, the rule only affects those licensees authorized to possess unsealed byproduct material with half-lives greater than 120 days or unsealed source material. Licensees that use and possess sealed sources, or unsealed byproduct material with short half-lives, are no longer affected by this rule. As a result of this change, most medical licensees will not need to transfer records in the event of license transfer, or re-assignment. Final records disposition for these licensees and others excluded by this rule will still be determined on a case-by-case basis by the NRC at the time of license termination.

(c) The purpose of this rulemaking is to assure that adequate records are available to provide historical information on previous licensed operations in the event significant offsite contamination is detected after a licensee has ceased operation of their facility. To provide flexibility to the Agreement States, the sections of the final rule requiring transmittal of records to the NRC at license termination have been designated Division 3 compatibility level. Because the NRC has discontinued its regulatory authority in the Agreement States for this material, it is appropriate that the Agreement States, rather than the NRC, both determine which Agreement State licensee records should be retained at license termination, and maintain those records.

(d) Records of waste disposals allowed by § 20.2005 currently are required by § 20.2108(b) to be retained until the Commission terminates each pertinent license requiring the record. The Commission is currently evaluating a petition for rulemaking that requests a revision to § 20.2005 pertaining to waste disposal. This petition is currently on hold until finalization of the rulemaking addressing radiological criteria for decommissioning. In light of this, we will consider this comment in resolving this petition.

4. Public Access To Information

Comment. One commenter was concerned that the Commission overlooked the benefits which could result from simple, inexpensive-to-implement requirements enhancing public access to information. This commenter noted that enhanced public access to information is an important (though not the only) reason for recordkeeping, in part because informed members of the public can play a significant role in ensuring that regulatory actions are appropriate and timely. This commenter urged the Commission to consider enhanced public access to information as part of a coherent policy to protect important documentary information from loss.

Response. This rule requires that records pertaining to decommissioning and certain records pertaining to offsite releases and waste disposals be transferred to a licensee that takes over a previous licensee's business and that these records be forwarded to the cognizant regulatory body prior to license termination, thereby protecting these records for future access. Once these records are forwarded to the NRC they will be available through the Freedom of Information Act process, exclusive of any proprietary information.

5. Independent Spent Fuel Storage Installations and 10 CFR 72.30(d) Requirements

Comment. One commenter stated that 10 CFR 72.30(d) addresses recordkeeping requirements for

decommissioning for independent spent fuel storage installations and that the NRC has proposed changes to this paragraph to address the transfer of licensed activities. This commenter questions why 10 CFR 50.75(g), which contains the same type of recordkeeping requirements for decommissioning for production and utilization facilities, was not changed. The commenter believes this to be inconsistent and possibly an inadvertent omission by the NRC.

Response. This rule only addresses materials licensees. The Commission is currently evaluating the need for additional rulemaking to address the broad issue of transfers of reactor licenses. Any such rulemaking would also consider recordkeeping requirements.

Summary of Requirements of the Final Rule

The final rule requires transfer of certain records pertaining to decommissioning, offsite releases, and waste disposal to a licensee that takes over operation of licensed activities. These records include: those waste disposals that would be permitted under §§ 20.2002 (including any burials authorized before January 28, 1981), 20.2003, 20.2004, 20.2005, and results of measurements and calculations used to evaluate offsite releases (§ 20.2103(b)(4)). The new licensee will need these records in order to perform an adequate site characterization prior to decommissioning. Once the new entity is granted a license and accepts these records, they become subject to all regulations concerning termination and transfer. The final rule also requires that these records be forwarded to the NRC prior to license termination. In selecting records to include in this rulemaking, the NRC focused attention on information that would be needed by licensees to conduct decommissioning effectively and for the NRC to evaluate offsite consequences from a licensee's operation. In addition, for certain records of offsite releases and waste disposals, the final rule has also been modified to apply to licensees only authorized to possess source and byproduct material with half-lives greater than 120 days, in an unsealed form.

Paragraph 20.2108(b) has been amended to state that there are additional requirements for disposition of records in 10 CFR Parts 30, 40, 70, and 72. Paragraphs 30.35(g) and 40.36(f) specify records that the Commission considers important to decommissioning. The NRC has revised these paragraphs to require the transfer of records pertaining to decommissioning to the new licensee. Paragraphs have been added to §§ 30.51, 40.61, 70.51, and 72.80 to clarify that records pertaining to decommissioning, offsite releases, and certain records pertaining to waste disposal be forwarded to the new licensee prior to license transfer or re-assignment, or to the NRC prior to license termination. Also, paragraphs have been added to §§ 61.30(a)(3) and 61.31(c)(1) to clarify that records required by §§ 61.80 (e) and (f) are to be transferred to the disposal site owner, or to the party responsible for institutional control of the disposal site, respectively.

Finally, a new paragraph has been added to §§ 30.36, 40.42, 70.38, and 72.54 to state that a license will not be terminated until the NRC receives the records required by revised §§ 30.51, 40.61, 70.51, and 72.80.

III. Agreement State Compatibility

This rulemaking will be a matter of compatibility between the NRC and the Agreement States, thereby providing consistency of State and Federal safety requirements. The NRC has determined that a Division 2 level of compatibility should be assigned to the changes to §§ 30.35, 40.36, and 61.31 because the records required by these sections are important to assure protection of public health and safety, and are important to ensure that facilities in Agreement States are effectively decommissioned. Under this level of compatibility the Agreement States will be expected to adopt recordkeeping requirements that are as stringent as NRC's, but they will be permitted flexibility in their requirements based on their radiation protection experience, professional judgments, and community values.

Revisions to §§ 30.51, 40.61, 70.51, and 72.80 that require records to be forwarded to the new licensee whenever a license is transferred or re-assigned will also be assigned a Division 2 level of compatibility for the reasons cited above. Other revisions to these sections addressing forwarding of records to the NRC prior to license termination will be assigned a Division 3 compatibility level. Under this level of compatibility the Agreement States will have the option to adopt similar requirements regarding final disposition of the records, but will not be required to adopt such requirements. While NRC believes retention of these records will aid in the resolution of potential safety concerns that may be identified after license termination, it also recognizes that an Agreement State without an equivalent requirement for record retention has the ability to resolve potential future safety concerns. This can be achieved by conducting radiological surveys at the formerly licensed site. Without the records, these surveys may need to be greater in number and may be more costly, but the absence of retained records will not preclude an Agreement State from adequately assessing future safety concerns.

IV. Environmental Impact: Categorical Exclusion

The NRC has determined that this final rule is the type of action described as a categorical exclusion in 10 CFR 51.22(c)(3)(ii), recordkeeping requirements. Therefore, neither an environmental impact statement nor an environmental assessment has been prepared for this final rule.

V. Paperwork Reduction Act Statement

This final rule amends information collection requirements that are subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). These requirements were approved by the Office of Management and Budget, approval number 3150–0014, –0017, –0020, –0009, –0132, and –0135.

The public reporting burden for this collection of information is estimated to average 5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments on any aspect of this collection of information, including suggestions for reducing burden, to the Information and Records Management Branch (T–6 F33), U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, or by Internet electronic mail at BJS1@NRC.GOV; and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB–10202, (3150–0014, –0017, –0020, –0009, –0132, and –0135), Office of Management and Budget, Washington, DC 20503.

Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

VI. Regulatory Analysis

The NRC has prepared a regulatory analysis on this final rule. The analysis examines the costs and benefits of the alternatives considered by the NRC. The regulatory analysis is available for inspection at the NRC Public Document Room, 2120 L Street NW. (Lower Level),

Washington, DC. Single copies of the analysis may be obtained from Mary L. Thomas, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone: (301) 415–6230; email: MLT1@NRC.GOV

VII. Regulatory Flexibility Certification

In accordance with the Regulatory Flexibility Act of 1980 (5 U.S.C. 605(b)), the Commission certifies that this final rule does not have a significant economic impact on a substantial number of small entities. The rulemaking imposes requirements on those licensees who are required to have decommissioning funding assurance and on licensees who are transferring their licenses to a new licensee. These changes require the transfer of records pertaining to decommissioning, and certain records of waste disposals and offsite releases, to the new licensee. In addition, the rule requires forwarding these records to the NRC at license termination. These records are already required to be maintained until the license is terminated by the Commission, and are needed to provide historical information of the impact of a previous licensee activities on the environment and decommissioning.

VIII. Small Business Regulatory Enforcement Fairness Act

In accordance with the Small Business Regulatory Enforcement Fairness Act of 1996 the NRC has determined that this action is not a major rule and has verified this determination with the Office of Information and Regulatory Affairs of OMB.

IX. Backfit Analysis

The NRC has determined that the backfit rule, 10 CFR 50.109, does not apply to this final rule and, therefore, that a backfit analysis is not required for this rule because these amendments do not involve any provisions that would impose backfits as defined in 10 CFR 50.109(a)(1).

List of Subjects

10 CFR Part 20

Byproduct material, Criminal penalties, Licensed material, Nuclear materials, Nuclear power plants and reactors, Occupational safety and health, Packaging and containers, Radiation protection, Reporting and recordkeeping requirements, Special nuclear material, Source material, Waste treatment and disposal.

10 CFR Part 30

Byproduct material, Criminal penalties, Government contracts, Intergovernmental relations, Isotopes, Nuclear materials, Radiation protection, Reporting and recordkeeping requirements.

10 CFR Part 40

Criminal penalties, Government contracts, Hazardous materials transportation, Nuclear materials, Reporting and recordkeeping requirements, Source material, Uranium.

10 CFR Part 61

Criminal penalties, Low-level waste, Nuclear materials, Reporting and recordkeeping requirements, Waste treatment and disposal.

10 CFR Part 70

Criminal penalties, Hazardous materials transportation, Material control and accounting, Nuclear materials, Packaging and containers, Radiation protection, Reporting and recordkeeping requirements, Scientific equipment, Security measures, Special nuclear material.

10 CFR Part 72

Manpower training programs, Nuclear materials, Occupational safety and health, Reporting and recordkeeping requirements, Security measures, Spent fuel.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C. 552 and 553, the NRC is adopting the following amendments to 10 CFR Parts 20, 30, 40, 61, 70, and 72.

PART 20—STANDARDS FOR PROTECTION AGAINST RADIATION

1. The authority citation for Part 20 continues to read as follows:

Authority: Secs. 53, 63, 65, 81, 103, 104, 161, 182, 186, 68 Stat. 930, 933, 935, 936, 937, 948, 953, 955, as amended, sec. 1701, 106 Stat. 2951, 2952, 2953 (42 U.S.C. 2073, 2093, 2095, 2111, 2133, 2134, 2201, 2232, 2236, 2297f), secs. 201, as amended 202, 206, 88 Stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846).

2. In § 20.2108, paragraph (b) is revised to read as follows:

§ 20.2106 Records of waste disposal.

* * * * *

(b) The licensee shall retain the records required by paragraph (a) of this section until the Commission terminates each pertinent license requiring the record. Requirements for disposition of these records, prior to license termination, are located in §§ 30.51, 40.61, 70.51, and 72.80 for activities licensed under these parts.

PART 30—RULES OF GENERAL APPLICABILITY TO DOMESTIC LICENSING OF BYPRODUCT MATERIAL

3. The authority citation for Part 30 continues to read as follows:

Authority: Secs. 81, 82, 161, 182, 183, 186, 68 Stat. 935, 948, 953, 954, 955, as amended, sec. 234, 83 Stat 444, as amended (42 U.S.C. 2111, 2112, 2201, 2232, 2233, 2236, 2282); secs. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846).

Section 30.7 also issued under Pub. L. 95-601, sec. 10, 92 Stat. 2951 as amended by Pub. L. 102-486, sec. 2902, 106 Stat. 3123, (42 U.S.C. 5851). Section 30.34(b) also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Section 30.61 also issued under sec. 187, 68 Stat. 955 (42 U.S.C. 2237).

4. In § 30.35, the introductory text of paragraph (g) is revised to read as follows:

§ 30.35 Financial assurance and recordkeeping for decommissioning.

* * * * *

(g) Each person licensed under this part or parts 32 through 36 and 39 of this chapter shall keep records of information important to the decommissioning of a facility in an identified location until the site is released for unrestricted use. Before licensed activities are transferred or assigned in accordance with § 30.34(b), licensees shall transfer all records described in this paragraph to the new licensee. In this case, the new licensee will be responsible for maintaining these records until the license is terminated. If records important to the decommissioning of a facility are kept for other purposes, reference to these records and their locations may be used. Information the Commission considers important to decommissioning consists of—

* * * * *

5. In § 30.36, paragraph (k)(4) is added to read as follows:

§ 30.36 Expiration and termination of licenses and decommissioning of sites and separate buildings or outdoor areas.

* * * * *

(k) * * *

(4) Records required by § 30.51 (d) and (f) have been received.

6. In § 30.51, paragraphs (d), (e), and (f) are added to read as follows:

§ 30.51 Records.

* * * * *

(d) Prior to license termination, each licensee authorized to possess radioactive material with a half-life greater than 120 days, in an unsealed form, shall forward the following records to the appropriate NRC Regional Office:

(1) Records of disposal of licensed material made under §§ 20.2002 (including burials authorized before January 28, 1981 [1]), 20.2003, 20.2004, 20.2005; and

(2) Records required by § 20.2103(b)(4).

(e) If licensed activities are transferred or assigned in accordance with § 30.34(b), each licensee authorized to possess radioactive material, with a half-life greater than 120 days, in an unsealed form, shall transfer the following records to the new licensee and the new licensee will be responsible for maintaining these records until the license is terminated:

(1) Records of disposal of licensed material made under §§ 20.2002 (including burials authorized before January 28, 1981 [1]), 20.2003, 20.2004, 20.2005; and

(2) Records required by § 20.2103(b)(4).

(f) Prior to license termination, each licensee shall forward the records required by § 30.35(g) to the appropriate NRC Regional Office.

PART 40—DOMESTIC LICENSING OF SOURCE MATERIAL

7. The authority citation for Part 40 continues to read as follows:

Authority: Secs. 62, 63, 64, 65, 81, 161, 182, 183, 186, 68 Stat. 932, 933, 935, 948, 953, 954, 955, as amended, secs. 11e(2), 83, 84, Pub. L. 95–604, 92 Stat. 3033, as amended, 3039, sec. 234, 83 Stat. 444, as amended (42 U.S.C. 2014(e)(2), 2092, 2093, 2094, 2095, 2111, 2113, 2114, 2201, 2232, 2233, 2236, 2282); sec. 274, Pub. L. 86–373, 73 Stat. 688 (42 U.S.C. 2021); secs. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846); sec. 275, 92 Stat. 3021, as amended by Pub. L. 97–415, 96 Stat. 2067 (42 U.S.C. 2022).

Section 40.7 also issued under Pub. L. 95–601, sec. 10, 92 Stat. 2951 as amended by Pub. L. 102–486, sec. 2902, 106 Stat. 3123, (42 U.S.C. 5851). Section 40.31(g) also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152). Section 40.66 also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Section 40.71 also issued under sec. 187, 68 Stat. 955 (42 U.S.C. 2237).

8. In § 40.36, the introductory text of paragraph (f) is revised to read as follows:

§ 40.36 Financial assurance and recordkeeping for decommissioning.

* * * * *

(f) Each person licensed under this part shall keep records of information important to the decommissioning of a facility in an identified location until the site is released for unrestricted use. Before licensed activities are transferred or assigned in accordance with § 40.41(b) licensees shall transfer all records described in this paragraph to the new licensee. In this case, the new licensee will be responsible for maintaining these records until the license is terminated. If records important to the decommissioning of a facility are kept for other purposes, reference to these records and their locations may be used. Information the Commission considers important to decommissioning consists of—

* * * * *

9. In § 40.42, paragraph (k)(4) is added to read as follows:

§ 40.42 Expiration and termination of licenses and decommissioning of sites and separate buildings or outdoor areas.

* * * * *

(k) * * *

(4) Records required by § 40.61(d) and (f) have been received.

* * * * *

10. In § 40.61, paragraphs (d), (e), and (f) are added to read as follows:

§ 40.61 Records.

* * * * *

(d) Prior to license termination, each licensee authorized to possess source material, in an unsealed form, shall forward the following records to the appropriate NRC Regional Office:

(1) Records of disposal of licensed material made under § 20.2002 (including burials authorized before January 28, 1981 [1]), 20.2003, 20.2004, 20.2005; and

(2) Records required by § 20.2103(b)(4).

(e) If licensed activities are transferred or assigned in accordance with § 40.41(b), each licensee authorized to possess source material, in an unsealed form, shall transfer the following records to the new licensee and the new licensee will be responsible for maintaining these records until the license is terminated:

(1) Records of disposal of licensed material made under § 20.2002 (including burials authorized before January 28, 1981 [1]), 20.2003, 20.2004, 20.2005; and

(2) Records required by § 20.2103(b)(4).

(f) Prior to license termination, each licensee shall forward the records required by § 40.36(f) to the appropriate NRC Regional Office.

PART 61—LICENSING REQUIREMENTS FOR LAND DISPOSAL OF RADIOACTIVE WASTE

11. The authority citation for Part 61 continues to read as follows:

Authority: Secs. 53, 57, 62, 63, 65, 81, 161, 182, 183, 68 Stat. 930, 932, 933, 935, 948, 953, 954, as amended (42 U.S.C. 2073, 2077, 2092, 2093, 2095, 2111, 2201, 2232, 2233); secs. 202, 206, 88 Stat. 1244, 1246, (42 U.S.C. 5842, 5846); secs. 10 and 14, Pub. L. 95–601, 92 Stat. 2951 (42 U.S.C. 2021a and 5851) and Pub. L. 102–486, sec. 2902, 106 Stat. 3123, (42 U.S.C. 5851).

12. In § 61.30, paragraph (a)(3) is revised to read as follows:

§ 61.30 Transfer of license.

(a) * * *

(3) That any funds for care and records required by §§ 61.80 (e) and (f) have been transferred to the disposal site owner;

13. In § 61.31, paragraph (c)(3) is added to read as follows:

§ 61.31 Termination of license.

* * * * *

(c) * * *

(3) That the records required by §§ 61.80(e) and (f) have been sent to the party responsible for institutional control of the disposal site and a copy has been sent to the Commission immediately prior to license termination.

PART 70—DOMESTIC LICENSING OF SPECIAL NUCLEAR MATERIAL

14. The authority citation for Part 70 continues to read as follows:

Authority: Secs. 51, 53, 161, 182, 183, 68 Stat. 929, 930, 948, 953, 954, as amended, sec. 234, 83 Stat. 444, as amended sec. 1701, 106 Stat. 2951, 2952, 2953 (42 U.S.C. 2071, 2073, 2201, 2232, 2233, 2282, 2297f); secs. 201, as amended, 202, 204, 206, 88 Stat. 1242, as amended, 1244, 1245, 1246 (42 U.S.C. 5841, 5842, 5845, 5846).

Sections 70.1(c) and 70.20a(b) also issued under secs. 135, 141, Pub. L. 97–425, 96 Stat. 2232, 2241 (42 U.S.C. 10155, 10161). Section 70.7 also issued under Pub. L. 95–601, sec.

[1] A previous § 20.304 permitted burial of small quantities of licensed materials in soil before January 28, 1981, without specific Commission authorization. See § 20.304 contained in the 10 CFR, parts 0 to 199, edition revised as of January 1, 1981.

[1] A previous § 20.304 permitted burial of small quantities of licensed materials in soil before January 28, 1981, without specific Commission authorization. See § 20.304 contained in the 10 CFR, parts 0 to 199, edition revised as of January 1, 1981.

10, 92 Stat. 2951 (42 U.S.C. 5851). Section 70.21(g) also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152). Section 70.31 also issued under sec. 57d, Pub. L. 93–377, 88 Stat. 475 (42 U.S.C. 2077). Sections 70.36 and 70.44 also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Section 70.61 also issued under secs. 186, 187, 68 Stat. 955 (42 U.S.C. 2236, 2237). Section 70.62 also issued under sec. 108, 68 Stat. 939, as amended (42 U.S.C. 2138).

15. In § 70.25, the introductory text of paragraph (g) is revised to read as follows:

§ 70.25 Financial assurance and recordkeeping for decommissioning.

* * * * *

(g) Each person licensed under this part shall keep records of information important to the decommissioning of a facility in an identified location until the site is released for unrestricted use. If records important to the decommissioning of a facility are kept for other purposes, reference to these records and their locations may be used. Information the Commission considers important to decommissioning consists of—

* * * * *

16. In § 70.38, paragraph (k)(4) is added to read as follows:

§ 70.38 Expiration and termination of licenses and decommissioning of sites and separate buildings or outdoor areas.

* * * * *

(k) * * *

(4) Records required by § 70.51(b)(6) have been received.

17. In § 70.51, footnotes 2 and 3 are re-designated as footnotes 3 and 4, paragraph (b)(6) is revised, and a new paragraph (b)(7) is added to read as follows:

§ 70.51 Material balance, inventory, and records requirements.

* * * * *

(b) * * *

(6) Prior to license termination, licensees shall forward the following records to the appropriate NRC Regional Office:

(i) Records of disposal of licensed material made under § 20.2002 (including burials authorized before January 28, 1981 [2]), 20.2003, 20.2004, 20.2005;

(ii) Records required by § 20.2103(b)(4); and

(iii) Records required by § 70.25(g).

(7) If licensed activities are transferred or assigned in accordance with § 70.32(a)(3), the licensee shall transfer the following records to the new licensee and the new licensee will be responsible for maintaining these records until the license is terminated:

(i) Records of disposal of licensed material made under § 20.2002 (including burials authorized before January 28, 1981 [2]), 20.2003, 20.2004, 20.2005;

(ii) Records required by § 20.2103(b)(4); and

(iii) Records required by § 70.25(g).

* * * * *

PART 72—LICENSING REQUIREMENTS FOR THE INDEPENDENT STORAGE OF SPENT NUCLEAR FUEL AND HIGH-LEVEL RADIOACTIVE WASTE

18. The authority citation for Part 72 continues to read as follows:

Authority: Secs. 51, 53, 57, 62, 63, 65, 69, 81, 161, 182, 183, 184, 186, 187, 189, 68 Stat. 929, 930, 932, 933, 934, 935, 948, 953, 954, 955, as amended, sec. 234, 83 Stat. 444, as amended (42 U.S.C. 2071, 2073, 2077, 2092, 2093, 2095, 2099, 2111, 2201, 2232, 2233, 2234, 2236, 2237, 2238, 2282); sec. 274, Pub. L. 86–373, 73 Stat. 688, as amended (42 U.S.C. 2021); sec. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846); Pub. L. 95–601, sec. 10, 92 Stat. 2951, 106 Stat. 3123 (42 U.S.C. 5851); sec. 102 Pub. L. 91–190, 83 Stat. 853 (42 U.S.C. 4332); Secs. 131, 132, 133, 135, 137, 141, Pub. L. 97–425, 96 Stat. 2229, 2230, 2232, 2241, sec. 148, Pub. L. 100–203, 101 Stat. 1330–235 (42 U.S.C. 10151, 10152, 10153, 10155, 10157, 10161, 10168).

Section 72.44(g) also issued under secs. 142(b) and 148(c), (d), Pub. L. 100–203, 101 Stat. 1330–232, 1330–236 (42 U.S.C. 10162(b), 10168(c), (d)). Section 72.46 also issued under sec. 189, 68 Stat. 955 (42 U.S.C. 2239); sec. 134, Pub. L. 97–425, 96 Stat. 2230 (42 U.S.C. 10154). Section 72.96(d) also issued under sec. 145(g), Pub. L. 100–203, 101 Stat. 1330–235 (42 U.S.C. 10165(g)). Subpart J also issued under secs. 2(2), 2(15), 2(19), 117(a), 141(h), Pub. L. 97–425, 96 Stat. 2202, 2203, 2204, 2222, 2244, (42 U.S.C. 10101, 10137(a), 10161(h)). Subparts K and L are also issued under sec. 133, 98 Stat. 2230 (42 U.S.C. 10153) and Sec. 218(a), 96 Stat. 2252 (42 U.S.C. 10198).

19. In § 72.30, the introductory text of paragraph (d) is revised to read as follows:

§ 72.30 Financial assurance and recordkeeping for decommissioning.

* * * * *

(d) Each person licensed under this part shall keep records of information important to the decommissioning of a facility in an identified location until the site is released for unrestricted use. If records important to the decommissioning of a facility are kept for other purposes, reference to these records and their locations may be used. Information the Commission considers important to decommissioning consists of—

* * * * *

20. In § 72.54, paragraph (m)(3) is added to read as follows:

§ 72.54 Expiration and termination of licenses and decommissioning of sites and separate buildings or outdoor areas.

* * * * *

(m) * * *

(3) Records required by § 72.80(e) have been received.

21. In § 72.80, paragraphs (e) and (f) are added to read as follows:

§ 72.80 Other records and reports.

* * * * *

(e) Prior to license termination, the licensee shall forward records required by §§ 20.2103(b)(4) and 72.30(d) to the appropriate NRC Regional Office.

(f) If licensed activities are transferred or assigned in accordance with § 72.44(b)(1), the licensee shall transfer the records required by §§ 20.2103(b)(4) and 72.30(d) to the new licensee and the new licensee will be responsible for maintaining these records until the license is terminated.

Dated at Rockville, Maryland, this 1st day of February 1996.

For the Nuclear Regulatory Commission.

James M. Taylor,

Executive Director for Operations.

[FR Doc. 96–12166 Filed 5–15–96; 8:45 am]

BILLING CODE 7590–01–P

[2] A previous § 20.304 permitted burial of small quantities of licensed materials in soil before January 28, 1981, without specific Commission authorization. See § 20.304 contained in the 10 CFR, parts 0 to 199, edition revised as of January 1, 1981.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 94–NM–92–AD; Amendment 39–9618; AD 96–10–11]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Model DC–9 and DC–9–80 Series Airplanes, Model MD–88 Airplanes, and C–9 (Military) Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD) applicable to McDonnell Douglas Model DC–9 and DC–9–80 series airplanes, Model MD–88 airplanes, and C–9 (military) series airplanes, that currently requires certain inspections and structural modifications. This

HOW TO ACCESS ELECTRONIC
U.S. NUCLEAR REGULATORY COMMISSION
INFORMATION: AN INTRODUCTORY COURSE ON THE INTERNET

STUDENT NOTEBOOK

VOLUME 2: NRC INFORMATION

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communication between NRC and [illegible] to download files and send electronic mail [with the BBS] [illegible] official comments on NRC rulemaking activities. A number of BBS can be accessed independently of FedWorld: *Tech Specs Plus*, *Public Meeting Notice System*, and *Bibliographic Retrieval System*. Documents related to the NRC's Strategic Assessment and Rebaselining Initiative are located here and on the World Wide Web (see Section 5, **NRC's Strategic Assessment and Rebaselining** for more information).

3. **NRC File Transfer Protocol (FTP) File Libraries at FedWorld** [ftp://ftp.fedworld.gov] or [ftp ftp.fedworld.gov]

(http://www.fedworld.gov) [August 26, 1996]
(http://www.fedworld.gov/ftp.htm) [August 26, 1996]
(http://www.fedworld.gov/ftphelp.htm) [August 26, 1996]
(ftp://ftp.fedworld.gov/pub/nrc/nrc.htm) [August 26, 1996]

SUMMARY: The following files may be usefule if you would like to see what is currently in the NRC file libraries: *00-INDEX.TXT* (list of files in the NRC library), *ALL-DIR.TXT* (list and description of all NRC Directories), and *NRC.HTM* (HTML formatted file listing files and descriptions in the NRC library). Use *00-INDEX.TXT* if you are using FTP and are not accessing the files through a Web Browser. Note that the directories listed on *http://www.fedworld.gov/ftp.htm* are not always current; the listing of directories appears to be updated weekly -- whereas the files *00-INDEX.TXT* and *NRC.HTM* are updated daily. Additional information on the file libraries can be found under Section 2, **NRC Bulletin Board Systems**.

4. **NRC on the World Wide Web**

(http://www.nrc.gov) [September 19, 1996]
(http://www.nrc.gov/NRC/message.html) [September 20, 1996]
(http://www.nrc.gov/NRC/WHATIS/mission.html) [August 8, 1996]
(http://www.nrc.gov/NRC/NEWS/elecinfo.html) [August 8, 1996]
(http://www.nrc.gov/NRC/rule.html) [August 8, 1996]
(http://www.nrc.gov/RES/cag/page.htm) [August 8, 1996]
(http://www.nrc.gov/RES/cag/list1.htm) [August 8, 1996]
(http://www.nrc.gov/SECY/smj/pdr1.htm) [August 8, 1996]
(http://www.nrc.gov/SECY/smj/pdusers.htm) [August 8, 1996]
(http://www.nrc.gov/NRC/PUBLIC/meetings.html) [August 8, 1996]

SUMMARY: NRC maintains a presence on the World Wide Web. On these pages, NRC provides information on its mission and activities. An electronic phone book is also available. These pages also provide a lot of useful information on finding and accessing electronic NRC information. One page (*http://www.nrc.gov/NRC/NEWS/elecinfo.html*) provides a largely stand-

alone summary of these electronic information sources. There are also descriptions of the NRC presence on FedWorld and a continually updated list of the active rulemakings. NRC at FedWorld (see Section 2, **NRC Bulletin Board Systems**, above), is a repository of relevant documents and comments for these rulemakings. Also, the FedWorld BBS allows users to provide electronic comments on NRC rulemakings. Recently, NRC added a series of documents related to its Strategic Assessment and Rebaselining Initiative (see Section 5, **NRC's Strategic Assessment and Rebaselining Initiative**, below) to its World Wide Web site. These documents are discussed separately.

5. NRC's Strategic Assessessment and Rebaselining Initiative

(http://www.nrc.gov/NRC/strategy.html) [September 19, 1996]
(http://www.nrc.gov/NRC/STRATEGY/introduc.html) [September 19, 1996]
(http://www.nrc.gov/NRC/STRATEGY/frame.html#_1_1)
[September 19, 1996]
(http://www.nrc.gov/NRC/STRATEGY/process.html#_1_1)
[September 19, 1996]
(http://www.nrc.gov/NRC/STRATEGY/index.html) [September 19, 1996]
(http://www.nrc.gov/NRC/STRATEGY/ISSUES/dsi06isp.ht:n)
[September 19, 1996]
(http://www.nrc.gov/NRC/STRATEGY/form.html) [September 19, 1996]

SUMMARY: NRC is working to establish a clear strategic direction to enable the organization to carry out its mission in the coming years. This effort is called the "Strategic Assessment and Rebaselining Initiative" and will result in a strategic framework that will guide future NRC decision-making. Information on the Strategic Assessment and Rebaselining can be found at the NRC WWW site and on the NRC Bulletin Board System at FedWorld (See Section 2, **NRC Bulletin Board Systems**). The framework of the NRC's Strategic Plan and the results from the early phases of the process are available here to facilitate stakeholder input. Stakeholders are able to send comments directly from *http://www.nrc.gov/NRC/STRATEGY/form.html*, if their browser supports forms.

6. **NRC's Licensing Support System Test Bed**

(http://lssnet-test.cnwra.swri.edu) [September 18, 1996]
(http://lssnet-test.cnwra.swri.edu/welcome.html) [September 19, 1996]
(http://lssnet-test.cnwra.swri.edu/purpose.html) [September 19, 1996]
(http://lssnet-test.cnwra.swri.edu/help.html) [September 18, 1996]
(http://lssnet-test.cnwra.swri.edu/help_bs.html) [September 18, 1996]
(http://lssnet-test.cnwra.swri.edu/help_as.html) [September 18, 1996]
(http://lssnet-test.cnwra.swri.edu/help_sr.html) [September 18, 1996]
(http://lssnet-test.cnwra.swri.edu/search.html) [September 18, 1996]
(http://lssnet-test.cnwra.swri.edu/cgi/squery.py) [September 19, 1996]

SUMMARY: This experimental platform is an NRC initiative on the World Wide Web to increase the availability of NRC information related to its high-level waste licensing activities. It provides NRC with the opportunity to examine how current communications technology can be applied to this effort and to allow the public to provide feedback on the effectiveness of this approach. The "test bed" provides access to NRC high-level waste documents using an advanced search capability.

7. **RuleNet**

(http://nssc.llnl.gov/RuleNet) [August 8, 1996]
(http://nssc.llnl.gov/RuleNet/Vision/Visioncnts.html#Concept) [August 8, 1996]
(http://nssc.llnl.gov/RuleNet/Facilitator/CE.About.html) [August 8, 1996]
(http://nssc.llnl.gov/RuleNet/Help/FAQ_Policy.html) [August 8, 1996]
(http://nssc.llnl.gov/RuleNet/Help/FAQ_Email.html) [August 8, 1996]
(http://nssc.llnl.gov/RuleNet/Help/FAQ_WEB.html) [August 8, 1996]
(http://nssc.llnl.gov/RuleNet/Help/FAQ_Consensus.html) [August 8, 1996]

SUMMARY: These hypertext documents describe the vision behind the RuleNet experiment, which examines the use of electronic forums to maximize the communication between NRC and the public on a safety issue -- fire protection requirements. Although RuleNet is not active at this time, it is possible to explore the capabilities of the RuleNet platform and to learn more about the process and evolution of the fire protection discussions. Also, Frequently Asked Questions (FAQs) addressing the restrictions to RuleNet participation and how to participate through different means are available. These FAQs may be a useful reference to facilitate your participation in any future NRC applications of computer technology that involve public participation.

NOTE AND DISCLAIMER:

This set of notebooks has been developed to complement the training offered at the National Congress of American Indians Annual Convention on October 20-22, 1996, and conducted by staff of the U.S. Nuclear Regulatory Commission (NRC). The notebooks also represent stand alone references that may be useful in begining an exploration of the Internet or the electronic resources available from the NRC. The NRC neither endorses the information content, presentation, or accuracy on non-NRC information. They are intended to provide information that will be useful when the available Internet connection and computer resources are limited. It is hoped that users with access to greater computer resources and a more fully developed infrastructure may also find the information in these notebooks useful.

An effort has been made to identify information that will be useful and relevant to the computer user with an emphasis on sites with information related to high-level waste and indigenous information. There is a lot of information on the Internet that may be valuable and relevant, however -- due to the volume of information and the rapidly changing content -- there has been no attempt to provide a comprehensive listing. The NRC has no control over the information originating from other parties and no attempt has been made to confirm the veracity of these documents. They have been included to provide the participant with a basic understanding of on-line tools and a glimpse of the resources that are currently available and their inclusion does not represent an endorsement by the NRC. The information on the Internet changes daily. A reference is given for each document date. The information contained in any document is subject to change over time, so the information provided here reflects the content as of the referenced date. Also, Uniform Resource Locators (URLs) and other addresses for documents may change over time and sites will not exist indefinitely. Therefore, the information in these notebooks should be used as a reference for developing Internet skills and facilitating the search for information and may not be appropriate to substitute for more current information.

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SUMMARY OF NRC ELECTRONIC INFORMATION

(http://www.nrc.gov/NRC/NEWS/elecinfo.html) [November 13, 1996]

Contents

You may electronically access NRC information from several sources:

Agency Sources

NRC at FedWorld

The NRC operates several subsystems on the Federal Government Fedworld BBS, which is operated by the National Technical Information Service (NTIS).

NRC Subsystems at FedWorld Name Content Contact/phone/ internet address Enhanced Participatory Rulemaking NRC rulemakings in progress plus draft NUREG-series documents and regulatory guides and the opportunity to provide comments Christine Daily
301-415-6026
cxd@nrc.gov, or

Carol Gallagher
301-415-5905
cag@nrc.gov Public Petitions Status of pending petitions under 10 CFR 2.206 Thomas Dunning
301-415-1189
tgd@nrc.gov Enforcement Program Information on the NRC enforcement program and the opportunity to provide comments Thomas Dunning
301-415-1189
tgd@nrc.gov Health Physics NRC staff positions on regulatory requirements and guidance for radiation protection Jim Wigginton
301-415-1059
jlw@nrc.gov, or

Roger Pedersen
301-415-3162
rlp1@nrc.gov Generic Communications NRC bulletins, generic letters, information notices, administrative letters, and circulars from 1971 to the present Joe Birmingham
301-415-2829
jlb4@nrc.gov Public Document Room Bulletin Board Selected types of publicly released

documents related to NRC licensing and rulemaking activities such as SECYs, SRMs, Commission meeting transcripts, preliminary notifications, advisory committee meetings, daily reports, and *Federal Register* notices. Posted for 30 days. M. Kim Basile
202–634–3381
pdr@nrc.gov

NRC Stand–Alone Bulletin Boards

The NRC operates several systems accessible **through** the Federal Government Fedworld BBS.

NRC Stand–Alone Bulletin Board Systems Name Content Contact/phone/ internet address Tech Specs Plus Improved standard technical specifications for each of the power reactor vendors, NRC Inspection Manual, and other information Thomas Dunning
301–415–1189
tgd@nrc.gov Public Meeting Notice System Upcoming staff meetings open to the public, Commission meetings, advisory committee meetings, or licensing board hearings (see the Public Document Room Bulletin Board for full texts) Jona Souder
301–415–7170
jls3@nrc.gov Bibliographic Retrieval System Searchable records of documents available through the NRC Public Document Room with full text of selected documents and comprehensive descriptive citations. Includes full text documents initially posted on the PDR Bulletin Board M. Kim Basile
202–634–3381
pdr@nrc.gov

NRC List Server System

The NRC maintains a list server system with a number of lists that the public may subscribe to by electronic mail transmitted over the internet. The lists in this system **are described below.** There is no charge for subscribing to any of the lists. Some of the lists are moderated and only accept messages from the list managers. Other lists are unmoderated and accept messages from all subscribers. Both types distribute messages sent to the list to all list subscribers.

To subscribe to any of these lists, send the following E–mail message to **listproc@nrc.gov:**

> **Subject:** *[leave blank]*
> **Message:** subscribe [list–name] [your first and last name]

Notes:

- Do not type the symbols [ ] and do not add commas. The list server will use the address from the E–mail heading, so that address should represent the person or group to which information is to go.
- Do not include the address as part of the subscribe message.
- You will get a message that you have been added to the list and instructions for communicating with the list server system. If you do not receive this return message, please check with the contact for that list by E–mail or phone.
- On unmoderated list systems, using the reply feature of E–mail to respond to a message from the list sends that response to all members on the list and not just the initiator of the original message. Therefore, NRC asks that all messages sent to an unmoderated list, addressed to [*list–name*]@nrc.gov, include the address of the sender so that, if appropriate, a response may be sent to that individual and not to all subscribers to the list.

- To be removed from a subscription list [illegible] listproc@nrc.gov:

  Subject: *[leave blank]*
  Message: unsubscribe [list name]

NRC List Servers Name Content Contact/phone [illegible] daily report of plant status, event notifications, and NRC morning report
(*moderated by NRC*) Thomas Dunning
301–415–1189
tgd@nrc.gov GC–NRR New NRC generic communications
(*moderated by NRC*) Joe Birmingham
301–415–2829
jlb4@nrc.gov PR–OPA NRC press releases, speeches, and other items of interest
(*moderated by NRC*) Gladys Ordaz
301–415–8209
opa@nrc.gov TS–NRR Exchange of information on technical specifications (TS) between NRC, licensees, and the public. Discussion of suggested changes to NRC standard TS (STS), including the format of STS as WordPerfect documents and nonproprietary formats such as the standard generalized markup language (SGML). Discussion of issues on converting plant TS to the guidance in the STS.
(*not moderated*) Thomas Dunning
301–415–1189
tgd@nrc.gov

Modem and Communications Information

Except for the Bibliographic Retrieval System, new users to each system establish their own password when they first log on to the system. Information on obtaining a password for the Bibliographic Retrieval System is described below.

To access any of these systems by modem, set the communications parameters as follows:

- bits/character: 8
- parity: N
- number of stop bits: 1
- full duplex

Be sure to know know (1) the protocol your telecommunications software will use for downloading files, e.g., zmodem, and (2) the command(s) necessary to initiate a file transfer using your software.

Access Numbers and Paths

Bulletin Board System Access Method(s) Fedworld

- Modem: **703–321–3339** for all parts of Fedworld
- Modem: **800–303–9672** (*see* **Note 1**)
- Telnet access via Internet: **fedworld.gov**
- File transfer protocol (FTP) site access via Internet: **ftp.fedworld.gov**
- World Wide Web (home page): **www.fedworld.gov**

Fedworld Help Desk

- Voice: **703–487–4608**
- E–mail: **helpdesk@fedworld.gov**

Enhanced Participatory Rulemaking From the NRC Main Menu on Fedworld, select (C) Public Petitions From the NRC Main Menu on Fedworld, select––

1. (O) to reach the NRC Subsystems Menu
2. (A)

Enforcement Program From the NRC Main Menu on Fedworld, select––

1. (O) to reach the NRC Subsystems Menu
2. (B)

Health Physics From the NRC Main Menu on Fedworld, select––

1. (O) to reach the NRC Subsystems Menu
2. (C)

Generic Communications From the NRC Main Menu on Fedworld, select––

1. (O) to reach the NRC Subsystems Menu
2. (D)
3. (F)

Public Document Room Bulletin Board

- From the NRC Main Menu on Fedworld, select––
  1. (O) to reach the NRC Subsystems Menu
  2. (E)
- NRC–PDR Library List direct ftp access: **ftp://ftp.fedworld.gov/pub/nrc–pdr/nrc–pdr.htm**

Tech Specs Plus

- From the NRC Main Menu on Fedworld, select––
  1. (D) to reach the Gateway Menu
  2. (A)
- Direct access (not Fedworld) by modem: **800–679–57841** (*see* **Note 1**)
- Direct access (not Fedworld) by modem: **301–415–1178**

Public Meeting Notice System

- From the NRC Main Menu on Fedworld, select––
  1. (D) to reach the Gateway Menu
  2. (B)
- Direct access (not Fedworld) by modem: **800–952–96761** (*see* **Note 1**)
- Direct access (not Fedworld) by modem: **301–415–5088**

Bibliographic Retrieval System (*see* **Note 2**)

- From the NRC Main Menu on Fedworld, select––
  1. (D) to reach the Gateway Menu
  2. (C)
- Direct access (not Fedworld) by modem: **800–270–27871** (*see* **Note 1**)
- Direct access (not Fedworld) by modem: **202–634–1421**

Notes:

1. Telephone numbers beginning with *800* work only within the U.S.
2. A password is required for this system. Please contact the Public Document Room at **800-397-4209** (inside the U.S. only), (**202-634-3273**, or E-mail **pdr@nrc.gov** to obtain a password.

Disclaimer for Information on NRC Bulletin Board Systems

Although every effort is made to ensure that the information on each BBS is accurate, documents obtained from them are not official documents. Every user explicitly acknowledges that all information obtained from the BBSs is provided "as is" without warranty of any kind, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose and that the entire risk of acting on information obtained from the BBSs, including the entire cost of all necessary remedies, is with those who choose to act on such information and not with the operators of the BBSs.

Other Sources

The Government Printing Office offers access to numerous databases, search tools, and gateways to other government organizations from the **GPO Access Home Page.**

The Government Information Locator Service (GILS) includes a **searchable database** of records of NRC documents. You can also view an **index** of this database.

This page was last updated on July 12, 1996, by NRCWEB (nrcweb@nrc.gov).

Update on Groundwater Corrective Action

(Experience to Date)

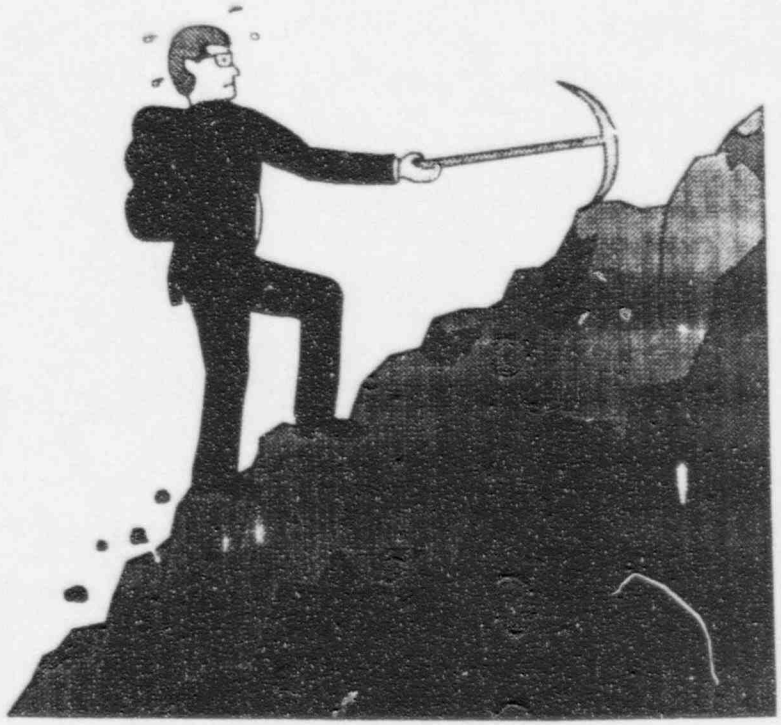
by

Don Metzler

U.S. Department of Energy

Background / History

- How did we get to where we are today?
  - Ongoing since the early 1980's involving EPA, NRC, DOE, the courts, and public.



Background / History

- Congress directed EPA to set standards
  - 1983, EPA publishes standards (40 CFR Part 192)
  - 1985, U.S. Court of Appeals remanded to the EPA the groundwater provisions of the standards
    - Treat toxic chemicals that pose GW risk same as Title II regulations
    - More RCRA like (numerical / prescriptive)

Background / History

- Congress directed EPA to set standards
  - 1987, EPA publishes proposed standards for Title I (40 CFR Part 192)
  - 1995, EPA publishes final groundwater standards (60 FR 2854-2871)
    - Only minor changes from proposed standards
      - No mention of ALARA
      - Limited use definition replaces Class III aquifer

DOE Title I Approach to Groundwater Compliance

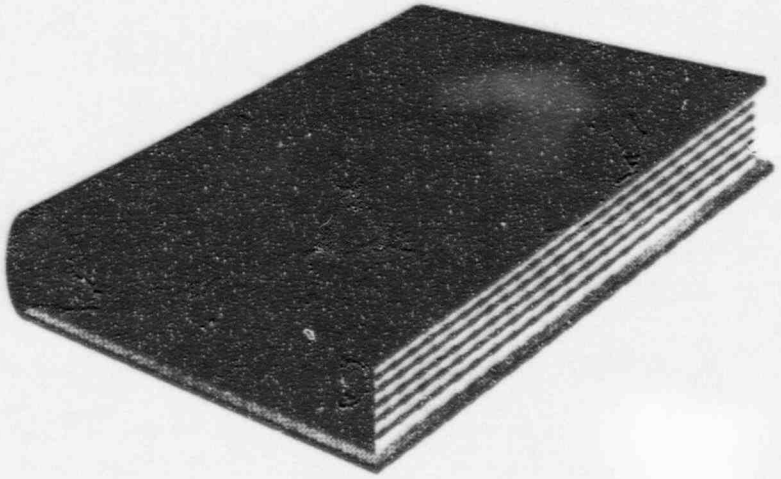
- Philosophy
  - Protect human health and the environment
  - Make informed objective decisions
  - Select cost - effective strategies
  - Involve stakeholders
  - Verify conceptual model using reasonable monitoring practices

Title I GW Logic Framework for Decision Making

- Goals:
  - Sound technical basis
  - Consistent from state to state and from tribe to tribe
  - Considers risk and cost
  - Couples risk based approach with prescriptive standards

Logic Framework

- Identified in the Final Groundwater PEIS October 1996
- Included in handout



40 CFR Part 192

- Provides for unique regulatory provisions in Subpart A, B, and C
  - Supplemental standards
  - Natural Flushing with Institutional Control
  - Alternate Concentration Limits

DOE has targeted many of the Title I sites for groundwater compliance based on these provisions.

Supplemental Standards Overview

- Purpose
- Criterion
- Implementing Supplemental Standards

Purpose

- Supplemental Standards may be applied as compliance actions under certain site conditions in lieu of prescriptive standards.
- Conditions must be protective of human health and the environment.

Criterion

- The criterion for applying supplemental standards addressing the residual contaminated groundwater are identified in 40 CFR Part 192.21 Subpart C.

Implementing Supplemental Standards

- May be granted if:
  - groundwater at a site is of limited use [192.11(e)] in the absence of contamination from residual materials; or
  - complete restoration would cause more environmental harm than it would prevent; or
  - complete restoration is technically impracticable from an engineering perspective.

Limited Use Groundwater

- Means groundwater that is not a current or potential source of drinking water
  - Because:
    - TDS > 10,000 mg/L; or
    - Widespread, ambient contamination not due to activities involving RRM, that cannot be cleaned up using treatment methods reasonably employed in public water systems; or
    - Sustained yield < 150 gpd

Natural Flushing

- Applicability
- Title I Targeted Sites
- Target Basis
- Data Needs
- Modeling
- Future Approach

Applicability

- Sites where groundwater currently exceeds EPA standards
- Sites where groundwater is not currently nor projected to be a drinking water resource
- Sites where advection, dispersion, and attenuation can achieve cleanup goals
- Meet EPA standards (MCLs or background) within 100 years

Target Title I Sites

- Durango, CO
- Grand Junction, CO *
- Gunnison, CO
- Naturita, CO
- Rifle, CO (2 sites) *
- Riverton, WY
- Slick Rock, CO (2 sites)

Basis for Targeted Strategy

- 13 years baseline monitoring period
- Constituents of concern, hydrologic and geochemical properties identified
- Preliminary analytical modeling
- Identification of data needs
- Revised modeling (numerical)

Identification of Data Needs

- Reduce uncertainties in conceptual model
  - Source term properties
  - Hydraulic conductivities
  - Flow gradient and direction
  - Retardation factors
  - Boundary conditions
  - Ecological considerations

Modeling

- Tool for assisting in identifying data uncertainties and sensitivities
- Predicting natural flushing duration to meet cleanup goals
- Build understanding of site flow and transport

Future Approach

- Site Observational Work Plans
- Remedial Action Plan modifications, or
- Groundwater Compliance Action Plans
- NRC Technical Evaluation Report
- NRC concurrence
- 100 year clock begins
- Transfer to LTSM program
- Verification monitoring

Institutional Controls

- An institutional control is defined by the EPA in 40 CFR Part 192, III. "Changes and Clarifications in Response to Comments"

Goals

- Least restrictive to property owners and general public
- Protective of public health and safety
- Enforceable, but flexible

Definition

- "Having a high degree of permanence and which will effectively protect public health and the environment and satisfy beneficial uses of the groundwater... and which is enforceable by the administrative or judicial branches of government entities."

Authority Under Local Government Jurisdiction

- County or city level
- Can restrict new water development
- Ordinance to require proof of potable water with a zone of contamination
- Case history - Rifle, CO

Authority Under State Government Jurisdiction

- Most states have control over their water sources
- Western states generally follow appropriation system of water law
- Most states have regulatory powers to restrict access to contaminated groundwater
- Case histories - Vitro (SLC) and Green River, UT

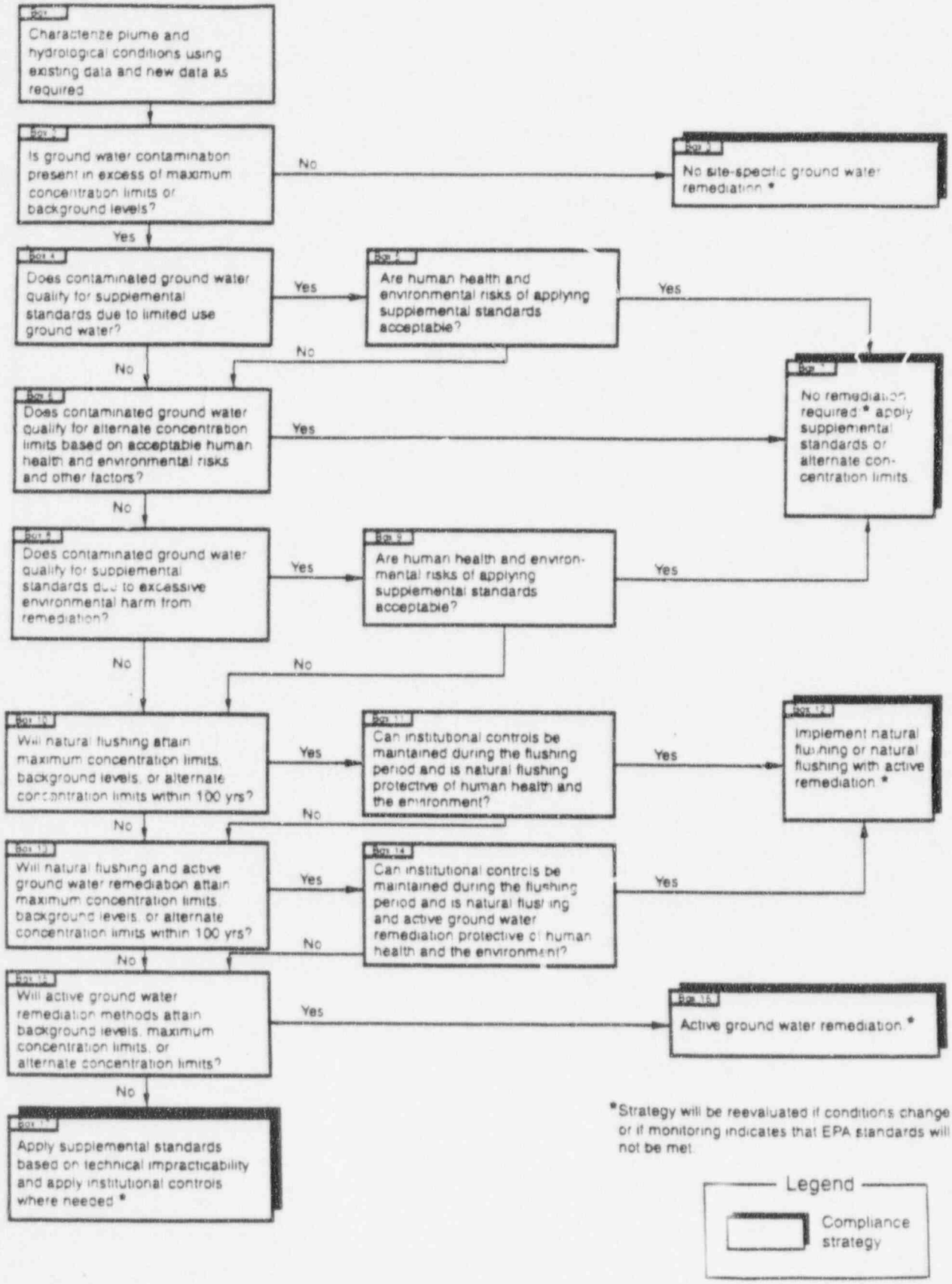


Figure 5.3-1. Logic Framework

COMPLIANCE WITH FINANCIAL ASSURANCE MECHANISMS REQUIRED FOR REMEDIATION OF TITLE II URANIUM MILL TAILINGS SITES

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Financial Assurance Requirements

- Reclamation of inactive uranium mill tailings sites subject to Title II of the Uranium Mill Tailings Radiation Control Act of 1978 ("UMTRCA"), is governed by Appendix A to 10 C.F.R. Part 40.

- Appendix A requires compliance with technical, financial, ownership, and long-term site surveillance criteria.

- Financial criteria is set forth at Criteria 9 and 10 of Appendix A.

Criterion 9 of Appendix A

- Financial surety arrangements must be established prior to termination of license and reclamation of uranium mill tailings.

- The amount of funds to be ensured by such surety arrangements must be based on NRC-approved cost estimates in NRC-approved plan for the reclamation of mill tailings.

- The surety must also cover the payment of the charge for long-term surveillance and control.

Financial surety arrangements

acceptable to NRC

- Surety bonds
- Cash deposits
- Certificates of deposits
- Deposits of government securities
- Irrevocable letters or lines of credit
- Combinations of the above or alternative arrangements as approved by NRC

Surety Bond

- A contract that the licensee enters into with a qualified surety company to assure NRC that the licensee will fulfill its remediation obligations or, in the event of the licensee's default, the surety guarantees that the remediation costs will be paid.

- Licensees must acquire surety bonds from *qualified* sureties.
  - Qualified sureties are those listed by the Department of the Treasury in the Circular 570.

Surety Bond (cont.)

- The Circular also lists the underwriting limitation--the maximum amount each listed surety can guarantee in one bond. A surety bond used to meet the financial assurance requirements cannot exceed the limit.
- The surety must also be licensed to enter into surety bonds in the state in which the bond is signed.

- A surety is *jointly and severally* liable for the guaranteed payment. It assumes the licensee's obligations as its own and can be sued jointly with the licensee for the obligation.

Required conditions for surety bonds

- Surety must be open-ended: If written for a specific term, the bond must be renewed automatically unless the surety notifies NRC and the licensee of its intention not to renew. The full face amount must be paid to the beneficiary automatically prior to expiration without proof of forfeiture if the licensee fails to provide an acceptable replacement within 30 days after receipt of such notice.

- Annual Review: The licensee's surety mechanism will be reviewed annually by NRC to assure, that sufficient funds would be available for completion of reclamation if the work had to be performed by an independent contractor.

Required conditions for surety bonds (cont.)

- Adjustment of Liability: The amount of surety liability should be adjusted to recognize any *increases or decreases* resulting from inflation, changes in engineering plans, activities performed, and any other conditions affecting costs.

- Surety must remain in effect until termination: The licensee must provide continuous financial assurance until the completion of reclamation and closure of the site.

Required conditions for surety bonds (cont.)

- Surety must be payable to a standby trust: By law, NRC and agencies of some states cannot hold segregated funds, but instead must deposit any funds received to the Federal or State treasury. Such funds may not always be available for remediation purposes. Thus, a standby trust or other vehicle must be created in which funds for remediation can be held and from which they can be taken and used when necessary.

Proposed Modification of Standby Trust Agreement

- Standby trust agreements can be modified in several ways to offer greater assurance to prospective sureties that, in the event of forfeiture, they may face more limited liability.

- In the event of a licensee's default, the full face amount of the bond must be forfeited.

Proposed Modification of Standby

Trust Agreement (cont.)

- Direct refund of unused portion of the trust to surety: Once the surety is named as a contingent beneficiary, the trustee, with NRC approval, can return any unused funds to the surety instead of the licensee in the event of a default. This arrangement also protects the surety from having to compete with other creditors for monies refunded from the trust during bankruptcy proceedings.

  - These modifications will reassure sureties that they will be able to recoup funds that were not used for reclamation in the event of any default by the licensee.

Proposed Modification of Standby

Trust Agreement (cont.)

- Authorization of trustee at site with commingled tailings to enter into a Confirmatory Order with NRC: In the event of a default, the trustee may be authorized to enter into a Confirmatory Order with NRC, agreeing to act in the place of the licensee for purposes of completing reclamation and closure of the facilities covered by the agreement.

  - Eligibility of the trustee to receive Title X payments: Presumably, once the trustee executes a Confirmatory Order, it becomes eligible for reimbursement of reclamation costs under Title X of the Energy Policy Act of 1992.

Proposal to establish a special reclamation fund for Title II uranium mill tailings sites

- NRC currently requires licensees, prior to the termination of a uranium mill license, to pay $250,000 (in 1978 dollars) to the U.S. Treasury. 10 C.F.R. Part 40, Appendix A, Criterion 10.
  - The total charge to cover the costs of long-term surveillance must be such that, with an assumed annual real interest rate of 1%, the collected funds will yield interest in an amount sufficient to cover the annual site surveillance costs.

Title II uranium mill tailings sites (cont.)

- If transfer of title to uranium mill tailings is required:
  - long-term surveillance costs could include routine maintenance and monitoring costs in addition to the costs associated with annual inspections.
- NRC has the flexibility to address site-specific circumstances in funding requirements if site surveillance or maintenance/control requirements at a particular site are determined to be unnecessary or greater than for other sites.
- Under the proposed amendment, a separate fund would be created for Title II tailings sites.

Title II uranium mill tailings sites (cont.)

- The fund would be administered by the Secretary of Treasury and would be invested in government or government backed securities so that the rate of growth would exceed 1% per year and, thus, effectively provide more funds for long-term surveillance and any necessary maintenance or extra control costs.

- The fund will not cover costs associated with catastrophic events since those costs will be borne by the U.S. government or the State to which title of the site has been transferred.

MILDOS-AREA CODE UPGRADES

DELIVERABLES

- UPGRADE CODE TO PART 20
- CREATE IN SITU DEFAULT EXAMPLE
- CREATE PATCH FOR CURRENT OWNERS OF MILDOS-AREA

PLANNED END-DATE 1 MARCH 1997

INSPECTION PLAN FOR DECOMMISSIONING AT URANIUM MILL SITES

Eric W. Abelquist
Oak Ridge Institute for Science and Education

Uranium Recovery Workshop

November 14, 1996

OUTLINE

- General Considerations
- Identification of Contaminants and Guidelines
- Final Survey Procedures and Instrumentation
- Analytical Procedures for Soil Samples
- QA/QC Procedures
- Final Status Survey Results
- Data Reduction and Management
- Summary

GENERAL CONSIDERATIONS

- Site Description
- Operating History
  - types of activities performed and locations
  - results of past operational radiological surveys
  - waste disposal practices, transportation routes for windblown materials and yellowcake
  - potential for spills or known releases

GENERAL CONSIDERATIONS
(Cont.)

- Environmental Monitoring

  - soil sampling, ground water monitoring, stack releases

- Decommissioning Activities

  - evaluate characterization survey results —justification of windblown areas boundary

  - review remediation procedures for windblown areas—potential for incomplete remediation and localized contamination

  - remedial action support survey procedures

IDENTIFICATION OF CONTAMINANTS AND GUIDELINES

- Major Contaminants Identified
  - for remaining buildings, indoor contaminants in U mill—decay chain equilibrium
  - review characterization results to confirm nature of soil contaminants—Ra-226, Th-230
- Guidelines Established
  - review guideline implementation—surrogate measurements, presence of Th-230, averaging conditions
  - Ra-226 guideline—depth distribution

FINAL SURVEY PROCEDURES AND INSTRUMENTATION

- Classify U Mill Areas by Contamination Potential

  - justification for classifying indoor and outdoor areas:

    1) remediated areas of site
    2) locations of spills
    3) former burial sites
    4) transportation routes
    5) extent of windblown areas
    6) ore pads, yellowcake areas

  - review where area classification changed based on accumulated survey data—documentation

FINAL SURVEY PROCEDURES AND INSTRUMENTATION (Cont.)

- Background Reference Areas
  - similar physical, chemical, geological, and radiological characteristics as U mill site
  - not influenced by U mill site operations —windblown tailings
  - background sample analyses sufficient to assess background level and its variability
  - more than one reference area may be necessary

FINAL SURVEY PROCEDURES AND INSTRUMENTATION (Cont.)

- Survey Instrumentation Selection

  - Land Areas

    - assess the instrument scan sensitivity (NaI) in terms of the soil guidelines

    - evaluate NaI detector correlation to Ra-226—review field data used to establish correlation; determine uncertainty in correlation factor and impact on the uncertainty in the calculated Ra-226 concentration (95% CL)

FINAL SURVEY PROCEDURES AND INSTRUMENTATION (Cont.)

- Building Surfaces
  - basis for instrument selection—potential contaminants and their associated radiations, surface types, MDCs (static and scan modes)
  - GM, gas proportional or ZnS detectors
  - instrument calibration sources— radionuclide energy, geometry, and surface conditions

FINAL SURVEY PROCEDURES AND INSTRUMENTATION (Cont.)

- Final Status Survey Coverage
  - based on area classification—mill site or windblown area, uniformity of contamination
  - type and quantity of measurements/samples sufficient to provide good representation of radiological contamination
  - boundaries of windblown areas appropriately determined; subsurface radioactive material deposits addressed

FINAL SURVEY PROCEDURES AND INSTRUMENTATION (Cont.)

- Survey Procedures

  - surface activity measurements and scans on building and equipment surfaces to be released

  - soil sampling and outdoor surface scanning

  - investigation levels for measurements results —e.g., soil samples collected if NaI readings exceed specified investigation level(s)

ANALYTICAL PROCEDURES FOR SOIL SAMPLES

- Gamma Spectroscopy
  - sample preparation techniques—detector geometries, ingrowth period for Ra-226 progeny
  - protocol to interpret the gamma spectrometry—radionuclide peaks used
- Analyses for Th-230 and natural uranium—if potential for residual contamination exists

QA/QC PROCEDURES

- Instrumentation Check-Out
  - frequency of operational checks (check source and background), acceptance criteria
- Laboratory QA/QC Procedures
  - duplicates, blanks, matrix spikes; acceptance criteria implemented
  - participation in cross-check or performance evaluation programs (EML and/or EPA)

QA/QC PROCEDURES
(Cont.)

- Final Survey Report Data Review
  - data quality assessment—collected data sufficient for its intended use
  - testing computer calculations and correlations between gamma radiation & Ra-226 concentrations
  - adequate survey documentation
  - sample and data chain-of-custody

FINAL SURVEY RESULTS

- review data for compliance with procedures and final survey plan
- review survey results to ensure compliance with guidelines and conditions (averaging)
- review the documentation for scan surveys; investigation of elevated readings during the scan survey
- review survey results for specific processing areas that have been remediated—buried raffinate lines

DATA REDUCTION AND MANAGEMENT

- review data reduction process—trace path of data from generation to final use
- review forms/checklists used for preventing loss of data during data reduction
- review documentation of investigations—ensure that the replacement data is annotated

SUMMARY

NRC U Mill Decommissioning Inspection Program provides:

- Timely identification of discrepancies and potential problems
- Increased uniformity and consistency of decommissioning activities among U mills
- Increased probability of complete remediation and documentation of site conditions for license termination