

## Saxton, John

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**From:** Lux, Jeff J <jlux@burnsmcd.com>  
**Sent:** Tuesday, January 11, 2022 9:59 AM  
**To:** Smith, James; Saxton, John  
**Cc:** Halliburton, Bill  
**Subject:** [External\_Sender] RE: RE: Kd Paper

The July 12 document, accession number ML16203A251, is the “correct” document – the one that was formally submitted to the NRC. The July 5 document, accession number ML20204A867, is the “draft” that either Jill Zaitz or I uploaded in 2020 – this is the one that shouldn’t have been uploaded at all.

I had erroneously “heard” John Saxton say “8”, when he actually said “A”. That’s why I searched for and couldn’t find, and why you don’t see ML16028251 in ADAMS – the “8” should have been an “A”. Once I changed the “8” to an “A”, I was able to see the document in ADAMS.

I believe the only difference between the two documents is that one sentence was added to the draft before submitting the paper to the NRC. It’s the last sentence in the first paragraph on page 6, beginning with, “A higher value for  $K_d$  would be expected, ...”.

As I said earlier, it is not important to me whether or not the July 5 document is removed from ADAMS. I just thought that since that document was never formally submitted to the NRC, and you already have the one that *was* formally submitted (the July 12 document), there was no reason to have the July 5 document in there.

*Jeff Lux*  
405-642-5152

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**From:** Smith, James <James.Smith@nrc.gov>  
**Sent:** Tuesday, January 11, 2022 8:40 AM  
**To:** Lux, Jeff J <jlux@burnsmcd.com>; Saxton, John <John.Saxton@nrc.gov>  
**Cc:** Halliburton, Bill <bhalli@burnsmcd.com>  
**Subject:** RE: RE: Kd Paper

Jeff-

I didn’t have a chance to do the SUNSI review you requested yesterday, but this morning I tried to find the document ML162038251 to do a SUNSI review. I do not see the document ML162038251 in ADAMS at all, but I do see a publicly available document ML16203A251 dated July 12, 2016, which doesn’t require a SUNSI review. I do see the document ML20204A867 dated July 5, 2016 in ADAMS and it is publicly available, so it doesn’t need a SUNSI review.

Upon a quick glance ML16203A251 and ML20204A867 seems to be identical except for the date. I assume that one of them has the erroneous sentence you were referring to, but I haven’t spotted it yet. Can you confirm that the document ML16203A251 is the one that you want deleted, retracted?

Thanks

Jim



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**From:** Lux, Jeff J <[jlux@burnsmcd.com](mailto:jlux@burnsmcd.com)>  
**Sent:** Monday, January 10, 2022 9:51 AM  
**To:** Smith, James <[James.Smith@nrc.gov](mailto:James.Smith@nrc.gov)>; Saxton, John <[John.Saxton@nrc.gov](mailto:John.Saxton@nrc.gov)>  
**Cc:** Halliburton, Bill <[bhalli@burnsmcd.com](mailto:bhalli@burnsmcd.com)>  
**Subject:** [External\_Sender] RE: Kd Paper

Basically, the 7/5/2016 document we electronically submitted for ADAMS in 2020 (ML 20204A867) was never formally submitted to the NRC; it was a draft document that we had retained in our files. The formal submittal, dated 7/12/2016 (ML162038251), had been unbeknownst to us uploaded to ADAMS by NRC staff – but since it hadn't been made publicly available, we didn't know it was in ADAMS.

The difference between the two documents is a single sentence that was added to the 7/5 draft in the 7/12 submittal. It's not important to remove the 7/5 draft from ADAMS – I just thought it was a convenient way to eliminate confusion between the two. If it takes a significant effort to remove the document from ADAMS, I don't think it's worth the time and expense.

*Jeff Lux*  
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**From:** Smith, James <[James.Smith@nrc.gov](mailto:James.Smith@nrc.gov)>  
**Sent:** Monday, January 10, 2022 8:45 AM  
**To:** Lux, Jeff J <[jlux@burnsmcd.com](mailto:jlux@burnsmcd.com)>; Saxton, John <[John.Saxton@nrc.gov](mailto:John.Saxton@nrc.gov)>  
**Cc:** Halliburton, Bill <[bhalli@burnsmcd.com](mailto:bhalli@burnsmcd.com)>  
**Subject:** RE: Kd Paper

Hi Jeff-

I am not sure I follow all of that, but if you are asking us to delete a record from ADAMS, that's something that I just can't do at my level. Some documents have been deleted shortly, within a week before they have been released to the public, usually two weeks after being declared as a public record, after being placed into ADAMS in the past. However, my recollection is that it can't be done, at least not easily without at least permission from an Office Director and some guidance from the Document Control Center staff.

I can ask the Document Control Center staff to see if it is possible and, if so, what would be necessary to remove a document from ADAMS. Although I don't know for sure, I think I would need a letter referencing the Accession number of the document and an explanation as to why it should be removed. Can you give me the accession number, so I can check with the DCC staff.

Thanks

Jim



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**From:** Lux, Jeff J <[jlux@burnsmcd.com](mailto:jlux@burnsmcd.com)>  
**Sent:** Saturday, January 08, 2022 9:01 AM  
**To:** Saxton, John <[John.Saxton@nrc.gov](mailto:John.Saxton@nrc.gov)>; Smith, James <[James.Smith@nrc.gov](mailto:James.Smith@nrc.gov)>  
**Cc:** Halliburton, Bill <[bhalli@burnsmcd.com](mailto:bhalli@burnsmcd.com)>  
**Subject:** [External\_Sender] Kd Paper

During our meeting yesterday, you referred to two submittals regarding the determination of the distribution coefficient for uranium: one dated July 5, 2016, and one dated July 12, 2016. You provided me the accession number for the July 12, 2016 submittal, and stated that the two submittals contained one slight difference. I searched for both of those submittals in the CERT repository and learned the following.

When preparing the decommissioning plan, I searched for the submittal in ADAMS, and I could not find it (it had not been made public). I assumed it wasn't in ADAMS, and found the entire report in a "submitted reports" folder in the CERT repository. This was a 7/5/2016 *draft* of the report. I submitted it to ADAMS in 2020.

After you explained that the submittal had been uploaded to ADAMS in 2016, I searched the repository, and found the 7/12/2016 *final* copy. It contained one sentence that the 7/5/2016 file did not contain. This 7/12/16 report is the one for which a hard copy with attached CD was submitted to the NRC.

I've deleted the draft report from the CERT repository, and it should be removed from ADAMS, as it was never submitted to the NRC (should never have been submitted to ADAMS). I also revised both the text of the D-Plan and the reference in Section 17 of the D-Plan to provide the 7/12/2016 date and the correct accession number.

If you would please perform the SUNSI review of the 7/12/2016 submittal so it could be made publicly available, I'd appreciate it. Thanks.

*Jeff Lux, P.E.*  
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