

**Cimarron Monthly Status  
Report in Lieu of January 20, 2021 Teleconference**

**Distribution:**

NRC - HQ

Jim Smith  
Ron Burrows  
Karen Pinkston  
Christine Pineda  
Joan Olmstead  
Lifeng Guo  
John Saxton

NRC – Region IV

Robert Evans  
Heather Gepford  
Linda Gersey  
Martha Poston-Brown

DEQ

Paul Davis  
Mike Broderick  
Jordan Caldwell  
Ray Roberts  
David Cates

EPM

Bill Halliburton

**ADMINISTRATIVE ISSUES**

Proposed Scope of Work and Budget for 2021

EPM submitted a proposed scope of work and budget for 2021 on November 25, 2020.

***EPM solicits feedback from the NRC and the DEQ regarding the status of reviewing and commenting on the proposed budget.***

**LICENSING ISSUES**

Tc-99 Listed in SNM-928

EPM will include a request to have Tc-99 listed in SNM-928 in Section 6, “Changes to the License” of the decommissioning plan. See the discussion of the decommissioning plan under “Decommissioning Issues” below for the schedule for this submittal.

License Amendment Request for Redefinition of the Licensed Area

EPM will submit this license amendment request after submitting the decommissioning plan so NRC will have a commitment to construct and operate only in the areas indicated in the response to questions on the cultural resources survey.

Response to Notice of Violation

Corrective actions associated with the NOV were completed by December 31, 2020, in accordance with the response to the NOV.

**DECOMMISSIONING ISSUES**

Facility Decommissioning Plan – Rev 2

EPM is on schedule to complete Facility Decommissioning Plan – Rev 2 by the end of February 2021. The current plan is to submit electronic copies of the document to the NRC Public Document Room, and to provide agency personnel a link to a secure file sharing site to download the numerous electronic files.

**Cimarron Monthly Status**  
**Report in Lieu of January 20, 2021 Teleconference**

EPM understands that with so many regulatory personnel working remotely, hard copies of documents are not always distributed to recipients. Submission of hard copies may require additional time after submitting electronic copies for printing and compilation of this substantial submittal.

*EPM requests that the NRC, NRC Region IV, and the DEQ tell EPM how many hard copies of the decommissioning plan should be sent (to which recipients and to which address).*

**Next Teleconference**

The next teleconference will be conducted February 17, 2021.

**Cimarron Monthly Status  
February 17, 2021 Teleconference Notes**

**Distribution:**

NRC - HQ

Jim Smith  
Ron Burrows  
Christine Pineda  
John Saxton

DEQ

Paul Davis  
Mike Broderick  
Kelly Dixon  
Ray Roberts  
Pam Dizikes  
Carol Paden

**ADMINISTRATIVE ISSUES**

Proposed Scope of Work and Budget for 2021

EPM submitted a proposed scope of work and budget for 2021 on November 25, 2020. Since that scope of work and budget were submitted, several activities that were not included in that scope of work were determined to be needed, including, but not limited to:

- Conducting surface water sampling for the OPDES permit
- Conducting five quarterly redox sampling events (vs. 3)
- Revising a number of sampling and analysis procedures and training field personnel on the revisions.
- Procuring check sources and low-flow sampling equipment

EPM can submit a letter describing these changes prior to receiving comments on the proposed budget and submit a “final” budget after receiving comments on the budget and this letter. Alternatively, EPM could submit a revised proposed budget that includes a description of these changes.

***EPM will submit a revised proposed budget that includes a description of these changes.***

**LICENSING ISSUES**

License Amendment Request for Redefinition of the Licensed Area

The proposed licensed area has changed in that a corridor has been added where a pipeline will carry groundwater exceeding the DCGL from Burial Area #1 to the Western Area Treatment Facility. The decommissioning plan will include a figure showing the area that could be disturbed during construction and operation, as well as the locations of the potential historic resources identified in the cultural resources survey.

***Upon receipt of the decommissioning plan, the NRC will send the SHPO and OAS a formal request for a Section 106 review; the figure referenced above will provide confirmation that the proposed areas of ground disturbance have not changed. After submitting the decommissioning plan, EPM will submit revised figures showing the revised are to be licensed as an addendum to the license amendment request.***

**Cimarron Monthly Status  
February 17, 2021 Teleconference Notes**

License Amendments Requested in the Decommissioning Plan

The decommissioning plan will be submitted as a license amendment request; Section 6 of the decommissioning plan will include license amendment requests related to:

- License Condition 8 – possession limits for U-235 and Tc-99
- License Condition 10 – final status survey & onsite disposal
- License Condition 23 – on-site disposal
- License Condition 26 – radiation protection program
- License Condition 27
  - 27(a) – 1995 DP and subsequent tie-downs
  - 27(b) – post-remediation monitoring
  - 27(c) – groundwater assessment for Tc-99 needed
  - 27(d) – access control

***No further action is required; this will be included in the decommissioning plan.***

**DECOMMISSIONING ISSUES**

Facility Decommissioning Plan – Rev 2

EPM is on schedule to complete Facility Decommissioning Plan – Rev 2 by the end of February 2021.

***EPM will submit electronic copies of the document to the NRC Public Document Room and advise NRC personnel of the accession number for the document package. EPM will also e-mail NRC and DEQ personnel a link to a secure file sharing site to download the electronic files for review.***

OPDES Surface Water Sampling

Discussions with DEQ Water Quality Division personnel has resulted in the following decisions:

1. We will let OPDES Permit OK0100510 expire in July 2022.
2. We will apply for a new OPDES permit approximately one year before we anticipate beginning water treatment.
3. We will collect the 12 monthly background surface water samples required by the existing permit even though we will let the permit expire before we discharge, because this will give DEQ the background data they will need to issue a new OPDES permit.

***EPM will advise the NRC and the DEQ of the impact of this work to the projected budget in the letter referenced in the above “Proposed Scope of Work and Budget for 2021” section.***

Procedure Review & Revision

During recent reviews of two sampling and analysis procedures, it was determined that the procedures contained guidance that may be relevant for some remediation sites, but which did not adequately address the unique requirements of the Cimarron site. A number of procedures

**Cimarron Monthly Status**  
**February 17, 2021 Teleconference Notes**

were identified that require revision, and some of the forms used to document the performance of work (and/or training for that work) need revision. Finally, field technicians need to be trained on the revised procedures.

*EPM will advise the NRC and the DEQ of the impact of this work to the projected budget in the letter referenced in the above “Proposed Scope of Work and Budget for 2021” section.*

**Next Teleconference**

The next teleconference will be conducted March 17, 2021.

**Cimarron Monthly Status**  
**March 17, 2021 Teleconference Notes**

**Distribution:**

NRC - HQ

Jim Smith  
Joan Olmstead  
Ron Burrows  
Christine Pineda  
Linda Gersey  
Karen Pinkston  
Robert Evans  
Heather Gepford

DEQ

Paul Davis  
Ray Roberts  
Pam Dizikes  
Mike Broderick

EPM

Bill Halliburton

**ADMINISTRATIVE ISSUES**

Proposed Scope of Work and Budget for 2021

EPM submitted a scope of work and budget for 2021 on March 5, 2021. That document included changes to the scope of work that were identified since the original proposed budget was submitted in November 2020. Revisions to the scope of work budget were identified in italicized font.

*The NRC and the DEQ will review and comment on or approve the budget. EPM will execute contracts with its contractors once the budget is approved.*

**LICENSING ISSUES**

License Amendment Request for Redefinition of the Licensed Area

The proposed licensed area has changed in that a corridor has been added where a pipeline will carry groundwater exceeding the DCGL from Burial Area #1 to the Western Area Treatment Facility. The decommissioning plan includes a figure showing the area that could be disturbed during construction and operation, as well as the locations of the potential historic resources identified in the cultural resources survey.

Review of the original (November 22, 2019) license amendment request (LAR) indicates that the change to a phased remediation approach requires significant revision of the LAR.

*EPM will submit a revision of the LAR by the end of April 2021.*

**DECOMMISSIONING ISSUES**

Facility Decommissioning Plan – Rev 2

EPM submitted *Facility Decommissioning Plan – Rev 2* (the DP) electronically to agency personnel on February 27, 2021 and to the NRC Public Document Room (PDR) on March 5, 2021. Since those files were submitted, several “accepting changes” errors were identified in both sets of files. For instance, although the individual preparing the document for submittal

**Cimarron Monthly Status**  
**March 17, 2021 Teleconference Notes**

“accepted all changes” the change from Revision 1 to Revision 2 on the cover page and title page was not accepted, so the first pages identify the report as Revision 1. EPM is reviewing the DP and creating an errata sheet to document other errors. Thus far it appears that other errors are restricted to formatting (e.g., the last paragraph in Section 8.1.1 merged into the heading for Section 8.1.2). All errors identified during EPM’s review will be incorporated into the document in conjunction with changes required in response to agency Requests for Additional Information (RAIs).

The DP files were submitted to the PDR days later because a number of the electronic files repeatedly “timed out” and could not be electronically submitted. After multiple attempts to upload the files, a DVD containing the full set of 47 electronic files was sent by FedEx overnight delivery to the PDR on March 5th. EPM has not yet received the accession numbers for these files (or the package number that will be assigned to the entire set of files) and will send this information to NRC personnel once they are received.

***EPM will send accession numbers to NRC personnel once they are received. EPM will correct errata in the DP after receipt of RAIs.***

Decommissioning Plan Overview Meetings

EPM recommended a series of virtual meetings to introduce agency personnel to the DP. EPM broke the content of the DP into sections based on the relevance of those sections to technical reviewers. Four virtual meetings have been scheduled to occur from March 22 through March 29.

***EPM will facilitate the above reference meetings and schedule any subsequent detailed technical meetings which would be determined to be beneficial during these four introductory meetings.***

**Next Teleconference**

The next teleconference will be conducted April 21, 2021.

**Cimarron Monthly Status**  
**April 21, 2021 Teleconference Notes**

**Distribution:**

NRC - HQ

Jim Smith  
Joan Olmstead  
Ron Burrows  
Christine Pineda  
Karen Pinkston  
Heather Gepford

DEQ

Paul Davis  
Dustin Davidson  
David Cates

EPM

Bill Halliburton  
Jeff Lux

**ADMINISTRATIVE ISSUES**

Proposed Scope of Work and Budget for 2021

EPM submitted a revised scope of work and budget for 2021 on March 5, 2021. NRC approved the scope of work and budget in a letter dated May 5, 2021. DEQ approval is in process.

***When the DEQ approves the budget, EPM will execute 2021 contracts with its contractors.***

**LICENSING ISSUES**

License Amendment Request for Redefinition of the Licensed Area

The change to a phased remediation approach requires significant revision of the LAR. Revision of the text is complete and figures are undergoing final review and revision.

***EPM will submit a revision of the LAR by the end of April 2021.***

Annual Environmental Monitoring Program

The next sampling event would probably be the next time this year that we will be conducting field work that would be appropriate for the NRC to conduct an inspection.

***The 2021 environmental monitoring program sampling event is scheduled to occur beginning July 6, 2021.***

ADAMS Submittals

Many of the documents that were described in Section 6 of the decommissioning plan had not been uploaded to ADAMS, had not been adequately listed so they can be easily found, or had not been made publicly available. The NRC and EPM are identifying documents that should be in ADAMS and are uploading them and making them publicly available.

***The NRC and EPM will continue this process, which will likely extend into May.***

**DECOMMISSIONING ISSUES**

Facility Decommissioning Plan – Rev 2

EPM submitted *Facility Decommissioning Plan – Rev 2* (the DP) electronically to agency personnel on February 27, 2021 and to the NRC Public Document Room (PDR) on March 5, 2021. The NRC has initiated its acceptance review and will conduct an internal meeting early in May to begin a list of information needed to enable the NRC to conduct its detailed technical review.

***The NRC will continue its acceptance review, hopefully issuing request for supplemental information by the end of May.***



**Cimarron Monthly Status**  
**April 21, 2021 Teleconference Notes**

BA1 Redox Sampling

The 2<sup>nd</sup> quarterly redox sampling event was completed April 16, 2021. A March 2020 report on the re-oxidation of the aquifer and the re-mobilization of uranium presented an evaluation of data through the 3<sup>rd</sup> quarter of 2019. The scope of work for 2021 stated that the report will be updated based on additional data compiled through the 1<sup>st</sup> quarter of 2021. Because the data is neither supporting the trends that were thought to be evident, but have not yet been consistent enough to establish other trends in which we have confidence, EPM directed Burns & McDonnell to defer updating that report until after they have received and evaluated redox data obtained from the 3<sup>rd</sup> quarter 2021 sampling event.

*The next redox sampling event is scheduled for the week of June 12<sup>th</sup>.*

OPDES Sampling

EPM began collecting surface water samples from the Cimarron River in March. Samples are analyzed for mercury and thallium and provides the DEQ data that will be needed issue a new permit when construction of groundwater remediation facilities begin.

*EPM will continue collecting surface water samples each month for a total of 12 months. Analytical results will be reported on monthly Discharge Monitoring Reports.*

**Next Teleconference**

The next teleconference will be conducted May 19, 2021.

**Cimarron Monthly Status  
May 19, 2021 Teleconference Notes**

**Distribution:**

NRC - HQ

Jim Smith  
Joan Olmstead  
Ron Burrows  
Christine Pineda

DEQ

Paul Davis  
Dustin Davidson  
David Cates  
Pam Dizikes  
Jordan Caldwell  
Mike Broderick  
Barrett Hamilton

EPM

Bill Halliburton  
Jeff Lux

**ADMINISTRATIVE ISSUES**

Proposed Scope of Work and Budget for 2021

The NRC and the DEQ approved the scope of work and budget for 2021 and EPM executed contracts with all three primary contractors for 2021 work.

***No further action is required.***

Notice of Remediation for Cimarron Holdings Property

The DEQ is preparing a Notice of Remediation with the intention that, once filed in the Logan County records, will “run with the land”, enforcing restrictions on the use of the property as long as groundwater on site does not comply with State Criteria.

***The DEQ will proceed based on their determination of the appropriate time to file the Notice of Remediation. This topic will not be addressed in future project status teleconferences.***

**LICENSING ISSUES**

License Amendment Request for Redefinition of the Licensed Area

This license amendment request (LAR) was submitted to the NRC and the DEQ on May 3, 2021. The NRC had previously planned to address this LAR separately from the LAR for the decommissioning of the site (i.e., remediating groundwater). NRC personnel believe that addressing the two LARs together may expedite the process and eliminate duplication of effort.

***The NRC will perform the acceptance review of this LAR along with the acceptance review of the decommissioning LAR.***

NRC Inspection Schedule

The annual environmental monitoring sampling event is scheduled to take place July 6 – 9, 2021. This may be the best time for the NRC to conduct an inspection, because this is likely to be the only licensed site activity that will be performed this year. Groundwater sampling for redox evaluation will occur the following week.

***The 2021 environmental monitoring program sampling event is scheduled to occur beginning July 6, 2021.***

**Cimarron Monthly Status**  
**May 19, 2021 Teleconference Notes**

**DECOMMISSIONING ISSUES**

References and Tie-Downs in ADAMS

Many of the documents that were described in Section 6 of the decommissioning plan had not been uploaded to ADAMS, had not been adequately listed so they can be easily found, or had not been made publicly available. The NRC and EPM are identifying documents that should be in ADAMS and are uploading them and making them publicly available.

***EPM will refresh the list of documents and submit the list of ADAMS accession numbers to the NRC. NRC will advise EPM how to address documents which aren't in ADAMS whether they need to be submitted for review.***

Schedule for License Amendment Review & Approval

The NRC currently anticipates sending requests for supplemental information in an acceptance letter for both LARs. That letter will include a schedule for the detailed technical review and issuance of RAIs, assuming that supplemental information will be provided on a timely basis.

***The NRC estimates sending the acceptance letter by June 17, 2021.***

**Next Teleconference**

The next teleconference is scheduled for June 16, 2021.

Cimarron Environmental Response Trust  
Status Report in Lieu of Monthly Teleconference  
June 22, 2021

Environmental Properties Management (EPM) submits this report on the status of activities performed for the Cimarron Environmental Response Trust (the CERT) to the US Nuclear Regulatory Commission (NRC) and the Oklahoma Department of Environmental Quality (DEQ) in lieu of a monthly teleconference.

Administrative Issues

There are no administrative issues which require action.

Licensing Issues

*Redefining the Licensed Area*

The license amendment request (LAR) which redefines the licensed site will be addressed in the same licensing action as the LAR for the site decommissioning plan.

*Annual Environmental Monitoring Program*

The collection, packaging, and shipping of groundwater and surface water samples in accordance with the annual environmental monitoring program described in Section 15 of the Radiation Protection Plan is scheduled the week of July 6 – 9, 2021.

Decommissioning Issues

*Referenced Documents*

Documents that are referenced in *Facility Decommissioning Plan – Rev 2* (the DP) and in License Conditions 10, 16, and 23 have been uploaded to the Agencywide Documents Access and Management System (ADAMS).

*Burial Area 1 Redox Sampling*

The 3<sup>rd</sup> quarterly redox sampling event in Burial Area 1 is scheduled for the week of July 12 – 16, 2021. After receipt and quality review of the laboratory analytical data for both this event and the annual environmental sampling event described above, EPM will submit the tabulated annual environmental data to the NRC and the DEQ. EPM will update and submit to the NRC and the DEQ the Excel file containing the comprehensive analytical data for groundwater, surface water, and other media.

*Decommissioning Plan Review*

The NRC was preparing to issue a request for supplemental information based on their review of Phase I infrastructure and remediation activities of the DP. During a teleconference conducted with the NRC and EPM on June 22<sup>nd</sup>, 2021, it became apparent that the description of the phased approach to groundwater remediation presented in the DP was not sufficiently clear regarding when post-remediation monitoring and license termination may occur relative to Phase I and Phase II activities.

Consequently, NRC personnel will meet to discuss the content and the timing of the request for supplemental information. Upon receipt of that information, EPM will consider alternative ways

to address the request, and will inform the NRC and the DEQ what is considered the most time- and cost-effective way to address those issues.

## Lux, Jeff J

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**From:** Lux, Jeff J  
**Sent:** Friday, July 16, 2021 2:07 PM  
**To:** Bill P. Halliburton (bhalli@burnsmcd.com); Burrows, Ronald; Carol Paden (carol.paden@deq.ok.gov); christine.pineda@nrc.gov; Dustin Davidson; Gepford, Heather; Joan Olmstead; john.saxton@nrc.gov; Jordan Caldwell (jordan.caldwell@deq.ok.gov); Karen Pinkston; Lifeng Guo (Lifeng.Guo@nrc.gov); Linda Gersey; Martha Poston-Brown; Michael Broderick (mike.broderick@deq.ok.gov); Paul Davis (j.paul.davis@deq.ok.gov); Robert Evans (robert.evans@nrc.gov); Smith, James  
**Subject:** Cimarron Status Report for July

We completed the annual environmental monitoring sampling the first week of July, and finished the 3<sup>rd</sup> quarter redox sampling yesterday.

Jim Smith tells me that the NRC's request for supplemental information has been sent to the attorneys for review. Hopefully it will be issued sometime next week.

After a couple of discussions with NRC personnel, I wondered why they thought we hadn't responded to more of the 2019 request for supplemental information than they did. So I checked the March 3, 2021 *Facility Decommissioning Plan – Rev 2* and discovered that many of the changes that we submitted in May 2019 did not appear in the decommissioning plan. It looks as though many of the tracked changes that were made in the decommissioning plan were not accepted when we "accepted all changes".

Consequently, not only was the description of the phased remediation approach and apply for termination of the license sufficiently confusing to generate more questions than it answered, it appears that the text of the decommissioning plan did not include nearly all of the changes we had said would be in *Facility Decommissioning Plan – Rev 2*.

I will wait to see the request for supplemental information to determine the best way to address both them and the phased approach to decommissioning.

*Jeff Lux, P.E.*  
*Project Manager*  
*Environmental Properties Management LLC*  
*A subsidiary of Burns & McDonnell Engineering Company*  
*405-642-5152*

**Cimarron Monthly Status**  
**August 25, 2021 Teleconference Notes**

**Distribution:**

NRC - HQ

Jim Smith

Joan Olmstead

Ian Irvin

Christine Pineda

DEQ

Paul Davis

Pam Dizikes

Mike Broderick

EPM

Bill Halliburton

Jeff Lux

**ADMINISTRATIVE ISSUES**

Response to IRS Request for Information

The Department of Treasury, Internal Revenue Service, is in litigation with Anadarko Corporation. EPM has received a request for information including approved annual budgets and both quarterly and annual agency-approved financial statements and balance sheets. EPM has assembled the requested information and is preparing a cover letter explaining the budget approval process and the fact that the regulatory agencies do not approve the financial statements and balance sheets submitted by the Trustee to the Beneficiaries.

***EPM will submit the cover letter to the NRC and DEQ. Upon approval, EPM will submit the entire package to the IRS, and electronically to the NRC and the DEQ.***

Request for Supplemental Funds for Responding to NRC Request for Information

The proposed budget for 2021 did not include sufficient funds for two of the primary contractors to the Trust: Burns & McDonnell and Enercon Services. For Burns & McDonnell, it is no longer believed that we will be able to advance the design and specifications to “issue for bid” status in 2021, so EPM will re-allocate funds from that task to “Respond to RAIs”. However, additional funds will be needed for Enercon Services.

***When Enercon Services identifies how much additional funding is needed, EPM will submit a request for additional funding to the NRC and the DEQ.***

**LICENSING/DECOMMISSIONING ISSUES**

Response to NRC 8/13/2021 Request for Information

D-Plan Rev 2 did not provide a clear path to license termination – the elimination of a phased approach to decommissioning provides that path. EPM will revise the decommissioning plan to propose only the shortest, most economical path to license termination. As soon as all wells achieve the DCGL, treatment will cease and post-remediation monitoring will begin.

Demobilization, decontamination, and final status surveys will begin during the post-remediation monitoring period.

In addition, treatment of groundwater for nitrate will be removed; the foundations in the WATF building will not provide for the large tanks and sumps needed to treat groundwater and biomass, and the biomass stream will not exist. We are evaluating the removal of the secure storage facility and minor modification to the WATF building, including lowering the 40’ roof and not extending HVAC into the storage area.

**Cimarron Monthly Status**  
**August 25, 2021 Teleconference Notes**

All of these changes result in such significant revision of the decommissioning plan that it will be submitted as Rev 3. The redefinition of the licensed area will still be addressed separately but simultaneously.

***EPM plans to submit a response to all NRC requests for information and Facility Decommissioning Plan – Rev 3, by November 11, 2021.***

Annual Environmental Monitoring Program

The annual environmental monitoring sampling was completed July 8, 2021. The data was received on August 6<sup>th</sup>, and is undergoing data quality review.

***The environmental monitoring program data will be submitted to the NRC and the DEQ by the end of the month. An updated Excel file containing comprehensive analytical data will also be submitted shortly thereafter.***

BA1 Redox Evaluation

The 3<sup>rd</sup> quarterly redox sampling event was completed July 15, 2021. A March 2020 report on the re-oxidation of the aquifer and the re-mobilization of uranium presented an evaluation of data through the 3<sup>rd</sup> quarter of 2019.

***EPM will submit an updated redox evaluation report based on data obtained through the 3<sup>rd</sup> quarter of 2021.***

**Next Teleconference**

The next teleconference will be conducted September 15, 2021.



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**August 25, 2021 Teleconference Notes**

**Distribution:**

NRC - HQ

Jim Smith

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Bill Halliburton

Jeff Lux

**ADMINISTRATIVE ISSUES**

Response to IRS Request for Information

The Department of Treasury, Internal Revenue Service, is in litigation with Anadarko Corporation. EPM has received a request for information including approved annual budgets and both quarterly and annual agency-approved financial statements and balance sheets. EPM has assembled the requested information and is preparing a cover letter explaining the budget approval process and the fact that the regulatory agencies do not approve the financial statements and balance sheets submitted by the Trustee to the Beneficiaries.

***EPM will submit the cover letter to the NRC and DEQ. Upon approval, EPM will submit the entire package to the IRS, and electronically to the NRC and the DEQ.***

Request for Supplemental Funds for Responding to NRC Request for Information

The proposed budget for 2021 did not include sufficient funds for two of the primary contractors to the Trust: Burns & McDonnell and Enercon Services. For Burns & McDonnell, it is no longer believed that we will be able to advance the design and specifications to “issue for bid” status in 2021, so EPM will re-allocate funds from that task to “Respond to RAIs”. However, additional funds will be needed for Enercon Services.

***When Enercon Services identifies how much additional funding is needed, EPM will submit a request for additional funding to the NRC and the DEQ.***

**LICENSING/DECOMMISSIONING ISSUES**

Facility Decommissioning Plan – Rev 2 Issues

The change to a phased remediation approach requires significant revision of the LAR. Revision of the text is complete and figures are undergoing final review and revision.

***EPM will submit a revision of the LAR by the end of April 2021.***

Response to NRC 8/13/2021 Request for Information

D-Plan Rev 2 did not provide a clear path to license termination – the elimination of a phased approach to decommissioning provides that path. EPM will revise the decommissioning plan to propose only the shortest, most economical path to license termination. As soon as all wells achieve the DCGL, treatment will cease and post-remediation monitoring will begin.

Demobilization, decontamination, and final status surveys will begin during the post-remediation monitoring period.

In addition, treatment of groundwater for nitrate will be removed; the foundations in the WATF building will not provide for the large tanks and sumps needed to treat groundwater and biomass, and the biomass stream will not exist. We are evaluating the removal of the secure storage

**Cimarron Monthly Status**  
**August 25, 2021 Teleconference Notes**

facility and minor modification to the WATF building, including lowering the 40' roof and not extending HVAC into the storage area.

All of these changes result in such significant revision of the decommissioning plan that it will be submitted as Rev 3. The redefinition of the licensed area will still be addressed separately but simultaneously.

***EPM plans to submit a response to all NRC requests for information and Facility Decommissioning Plan – Rev 3, by November 11, 2021.***

Annual Environmental Monitoring Program

The annual environmental monitoring sampling was completed July 8, 2021. The data was received on August 6<sup>th</sup>, and is undergoing data quality review.

***The environmental monitoring program data will be submitted to the NRC and the DEQ by the end of the month. An updated Excel file containing comprehensive analytical data will also be submitted shortly thereafter.***

BA1 Redox Evaluation

The 3<sup>rd</sup> quarterly redox sampling event was completed July 15, 2021. A March 2020 report on the re-oxidation of the aquifer and the re-mobilization of uranium presented an evaluation of data through the 3<sup>rd</sup> quarter of 2019.

***EPM will submit an updated redox evaluation report based on data obtained through the 3<sup>rd</sup> quarter of 2021.***

**Next Teleconference**

The next teleconference will be conducted September 15, 2021.

**Cimarron Monthly Status Teleconference Notes  
September 14, 2021**

**Attendees:**

NRC - HQ

Jim Smith  
Joan Olmstead  
Ron Burrows  
Christine Pineda  
Heather Gepford  
Linda Gersey  
Ian Irvin

DEQ

Paul Davis  
Mike Broderick

EPM

Jeff Lux

**ADMINISTRATIVE ISSUES**

Pre-submission audit

EPM can submit a pre-submission copy of the response, decommissioning plan (D-Plan), and Radiation Protection Plan (RPP) to the NRC prior to “finalizing” it. NRC would then conduct a brief review and schedule a public meeting (10 days notice required) to address questions or clarification needs. EPM will collaborate with its contractors and notify the NRC and the DEQ if a pre-submission draft will be sent for review prior to formal submission of the D-Plan and RPP.

Response to IRS request for information

A draft letter responding to a July 21, 2021 request for information from the IRS was sent to the NRC and the DEQ for review and/or approval on September 1, 2021. EPM will revise the letter in accordance with comments received from the NRC and the DEQ prior to submitting the response.

Request for supplemental funding for Enercon Services

Budgeted 2021 funding for Enercon Services for responding to NRC requests for information was based on two assumptions:

1. Responses to the May 2019 request for information had been incorporated into the D-Plan and/or RPP. Many of those responses appear to have not been accepted when the “tracked changes” Word file was finalized.
2. The NRC was not going to perform another acceptance review and only one round of information requests (based on the technical review of the D-Plan and RPP would be received. Many of the proposed responses were not in the D-Plan and RPP submitted in March 2021 and a phased approach to decommissioning was incorporated into the D-Plan, so the NRC started over with an acceptance review. Therefore, the August 11, 2021 request for supplemental information represents the first of two information requests, the second to be based on the technical review of the decommissioning plan (the “request for additional information” or RAI).

As a result, additional funding for Enercon Services is needed. Neither Burns & McDonnell Engineering Services, (BMcD) nor Veolia Nuclear Solutions – Federal Services (VNSFS) will be able to proceed to advance the design to “issue for bid” status until after receiving and evaluating the next set of requests for information based on the technical review of the D-Plan.

**Cimarron Monthly Status Teleconference Notes**  
**September 14, 2021**

Because the extension in the schedule due to this additional round of request means that RAIs will likely not be received until well into 2022, funding will be allocated from funding approved for one of these to fund Enercon Service's responses. Total 2021 spending is expected to be less than approved funding due to the amount of funding associated with this deferred work.

NRC site tour 9/23/2021

Jim Smith and Linda Gersey are scheduled to visit the Cimarron site at 10:00 on September 23, 2021 for a site tour and orientation.

Other?

**LICENSING/DECOMMISSIONING ISSUES**

Response to NRC 8/13/2021 request for information

EPM has revised the text of the D-Plan to:

1. Eliminate the phased approach presented in the March 2021 *Facility Decommissioning Plan – Rev 3*. This will provide a single, definitive path to license termination.
2. Remove treatment of groundwater for nitrate. This eliminates the generation, processing, and disposal of potentially contaminated biomass, simplifies the design of the southern third of the Western Area Treatment Facility, and eliminates the need for a separate secure storage facility.
3. Respond to the NRC's request for information and clarification.
4. Include discussion of the three daughters of uranium present in groundwater.  
Conservative assumptions regarding daughters include:
  - a. The daughters of uranium are in secular equilibrium with the parent in the influent groundwater.
  - b. For effluent calculations, the ion exchange resin does not capture any of the daughters, and they are present in the discharged treated water.
  - c. For radiological dose assessment, the ion exchange resin captures all the daughters, and they are present in the resin that is processed.
5. Accession numbers are included in references to documents submitted by the licensee in the text of the D-Plan.

BMcD is revising figures, tables, and the design drawings in accordance with the above changes.

VNSFS is revising design drawings in accordance with the above changes.

Enercon Services is revising both the D-Plan and the RPP in accordance with the above changes and the NRC's request for information and clarification.

Annual environmental monitoring program

Data for the annual environmental monitoring program was submitted to the NRC and the DEQ electronically on September 1, 2021. The data from this sampling event was used to describe the potential activity of beta-emitters in the influent groundwater for both western area and Burial Area #1 groundwater. Consequently, the data will be formally submitted and the accession number referenced in the D-Plan text.

**Cimarron Monthly Status Teleconference Notes**  
**September 14, 2021**

Comprehensive Analytical Data

The data obtained through the annual environmental and 3<sup>rd</sup> quarter redox sampling events is being imported into the CERT EQUIS database. An Excel file containing comprehensive analytical data will be exported from the EQUIS database and electronically submitted to the NRC and the DEQ, presumably before the end of September. Attention is focused on preparing the response to the NRC request for information and the revision of the D-Plan, so that may be an aggressive schedule.

Burial Area #1 redox evaluation

The data from the 3<sup>rd</sup> quarter redox sampling event is being imported into BMcD's Digital Site Management Tool (DSMT). As I understand it, the DSMT provides enhanced correlation of chemical concentrations, field parameter measurements, and other information such as lithology and groundwater elevation. The March 2020 report on the redox conditions in Burial Area #1 groundwater and the rebound of uranium concentrations will be updated and submitted to the NRC and the DEQ near the end of the year.

**OTHER ISSUES**

Upcoming site maintenance

Mills Construction is subcontracting to BMcD to mow, brush hog, weed eat, and clear fallen timber to provide access to monitor wells, cairns, and dosimeters. 10-foot PVC pipe will be fastened to monitor well protector pipes to make them easier to find when the vegetation grows tall enough to hide them. The protector pipes and concrete pads around some wells will be repaired. The goal is to complete all of this by mid-October.

*Note: This was not discussed during the teleconference, but the next monthly project status teleconference is scheduled for 1:30 p.m. Central Time on Wednesday, October 20<sup>th</sup>.*

**Cimarron Monthly Status Teleconference Notes**  
**November 17, 2021**

**Attendees:**

NRC - HQ

Jim Smith

Ian Irvin

Robert Evans

Tison Campbell

Neil O'Keefe

DEQ

Paul Davis

Mike Broderick

EPM

Jeff Lux

Bill Halliburton

**ADMINISTRATIVE ISSUES**

Response to IRS request for information

A response to the July 21, 2021 IRS request for information was sent to the IRS on October 6, 2021. Copies were provided to the NRC and the DEQ for their files.

Reallocation of Funding for Enercon Services

Responding to the NRC's August 18, 2021 request for information required much more work on the part of Enercon Services than was available in the approved budget for 2021. During the last teleconference, EPM discussed reallocating funds from Burns & McDonnell or VNS-Federal Services to Enercon to cover the cost of this additional scope of work.

However, Task 6, "Unanticipated Work", provides funding for such work, and sufficient funds are available in the approved Task 6 funding to cover Enercon's costs. EPM will submit a proposed allocation of costs (between the Federal Cost Account and the State Cost Account) by November 19, 2021.

Proposed Scope of Work and Budget for 2022

The Trust Agreement requires that EPM submit an annual budget for agency approval by January 1<sup>st</sup>, but we try to submit that budget well before January 1<sup>st</sup> to obtain budget approval as early as possible, because funding must be approved for EPM to contract work. The Trust's annual budget has been approved on or after April 15<sup>th</sup> seven out of the last ten years. Consequently, our proposed scope of work and budget typically provides for 15-16 months of work.

EPM's contractors have been focusing on the revision of the Decommissioning Plan (D-Plan) and are now preparing cost estimates for a scope of work that is based on the revised pre-construction schedule that has been revised for inclusion in the D-Plan. The target date to submit the proposed scope of work and budget for 2022 is the end of November.

**LICENSING/DECOMMISSIONING ISSUES**

Response to NRC 8/13/2021 request for information

EPM has revised the text of the D-Plan to:

1. Eliminate the phased approach presented in the March 2021 *Facility Decommissioning Plan – Rev 3*. This will provide a single, definitive path to license termination.
2. Remove treatment of groundwater for nitrate. This eliminates the generation, processing, and disposal of potentially contaminated biomass, simplifies the design of the southern

**Cimarron Monthly Status Teleconference Notes**  
**November 17, 2021**

third of the Western Area Treatment Facility, and eliminates the need for a separate secure storage facility.

3. Respond to the NRC's request for information and clarification.
4. Include discussion of the three daughters of uranium present in groundwater. Conservative assumptions regarding daughters include:
  - a. The daughters of uranium are in secular equilibrium with the parent in the influent groundwater.
  - b. For effluent calculations, the ion exchange resin does not capture any of the daughters, and they are present in the discharged treated water.
  - c. For radiological dose assessment, the ion exchange resin captures all the daughters, and they are present in the resin that is processed.
5. Accession numbers are included in references to documents submitted by the licensee in the text of the D-Plan.

Enercon Services completed revisions of both the D-Plan and the RPP in accordance with the above changes and the NRC's request for information and clarification.

VNSFS completed revisions of design drawings in accordance with the above changes.

BMcD has revised figures, tables, and the design drawings in accordance with the above changes. BMcD and EPM are now conducting a detailed quality review of the entire D-Plan.

A "team" has been created in Microsoft TEAMS, and the letter of submittal with responses to the NRC's request for information has been uploaded to the TEAMS site. When the quality review of the D-Plan has been completed, the D-Plan text, figures, tables, and Appendices I, J, and M will be uploaded. Appendices I, J, and M are the only three appendices that were revised in response to the NRC's request for information. Other appendices will be uploaded upon request by NRC or DEQ personnel.

## **OTHER ISSUES**

### Upcoming Site Maintenance

Mills Construction is subcontracting to BMcD to mow, brush hog, weed eat, and clear fallen timber to provide access to monitor wells, cairns, and dosimeters. 10-foot PVC pipe will be installed at each monitor well to make them easier to locate. This work is dependent upon the contractor's availability, and may not be performed until January 2022.

### Next Teleconference

A teleconference will be scheduled for December 15, 2021 to answer questions regarding the proposed budget for 2022. If the NRC and the DEQ have no questions regarding the proposed budget, the meeting will be canceled. This call will involve a subset of the group involved in project status teleconferences.