

**Cimarron Monthly Status Teleconference Notes**  
**August 17, 2022**

**Attendees:**

<u>NRC - HQ</u>	<u>DEQ</u>	<u>EPM</u>
James Smith	Paul Davis	Bill Halliburton
Linda Gersey	Mike Broderick	Jeff Lux
	Anna Fernow	

*Red font indicates action items resulting from the discussion.*

**Administrative Issues**

**Need for NOR on 24-Acre Property?**

EPM met with Kalidy LLC and Redbud Environmental on July 19, 2022; EPM provided copies of the Purchase and Sale Agreement and the easement to Kalidy and Redbud. The easement, which provides access to EPM and its contractors to and through the property, will run with the land. However, the use restrictions listed in the Purchase and Sale agreement are likely not enforceable.

The Purchase and Sale Agreement stated that the DEQ was going to file a Notice of Remediation (NOR) to attach to the deed, but it has not been determined if those use restrictions are necessary and if so, there is statutory justification to file an NOR.

*The DEQ will determine if the use restrictions listed in the Purchase and Sale Agreement should be filed in an NOR, and if the DEQ has the statutory authority to do so. No further action on the part of the NRC or EPM is required.*

**Scope of Work and Budget for 2023**

EPM will send its primary contractors a scope of work for 2023 to obtain cost estimates for work to be performed in 2023, extending into the first several months of 2024. The scope of work will be based on the following schedule:

- *Facility Decommissioning Plan – Rev 3* (the DP) will be submitted by the end of September 2022, and the NRC will accept the DP for detailed technical review by the end of the year.
- The NRC will conduct its technical review of the DP and issue RAIs by the end of April 2023.
- EPM will respond to RAIs by the end of June 2023. Upon responding to RAIs, contractors will begin advancing design drawings and specifications to issue for bid.
- Upon receipt of responses to RAIs, the NRC will begin preparation of a draft Environmental Assessment (EA) and Safety Evaluation Report (SER). The draft EA and SER will not be completed prior to the end of March 2024.

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- After the NRC approves or comments on EPM's responses to RAIs:
  - Burns & McDonnell and VNS–Federal Services will prepare bid packages for the fabrication, construction, and installation of groundwater remediation infrastructure and water treatment facilities by the end of 2023.
  - Burns & McDonnell, VNS-Federal Services, and Enercon Services will begin preparation of operating procedures and radiation protection procedures. Procedures will not be finalized until design drawings and specifications have been advanced to issue-for-bid status.
- Bid packages will be issued to bidders, bidders will issue (and contractors will respond to) requests for information/clarification, and bidders will submit bids by the end of March 2024.

EPM and its contractors will be focused on completing and submitting the DP by the end of September. Preparation of the proposed scope of work and budget will have secondary priority.

***EPM will send the proposed scope of work and budget for 2023 to the NRC and the DEQ by mid-November.***

### **Licensing Issues**

#### **License Amendment Request to Redefine the Licensed Area**

EPM submitted a letter retracting the License Amendment Request to Redefine the Licensed Area on July 22, 2022.

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

#### **NRC Inspection Report**

The NRC conducted an inspection on July 13-14, 2022. Inspection report 070-00925/2022-01 was issued on August 13, 2022. Although no violations were identified, several opportunities for improvement were identified during the observation of groundwater and surface water sampling.

***EPM and Enercon Services are revising several procedures in accordance with observations made during the sampling event.***

#### **Letter on Divested Property**

On July 25, 2022, EPM submitted a letter addressing three issues related to divested property:

- The need for radiological surveys of subsurface material brought to the surface.
- The need to maintain “isolation and control”

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- The need to include divested property in the dose assessment performed prior to license termination

EPM agreed that radiological surveys should be performed if subsurface material is brought to the surface on CERT property, but not on divested properties. EPM requests NRC concurrence that the first two of the three issues listed above will not apply to divested properties.

*The NRC will respond to the first two issues; the plan is to respond prior to the submission of the Decommissioning Plan.*

### Decommissioning Issues

#### Primary Revisions to the Decommissioning Plan

A treated water injection trench will be added between the two groundwater extraction trenches in transition zone material in Burial Area #1 (BA1). The groundwater flow model for BA1 was revised to reduce the size of cells between the trenches to improve the ability of the flow model to model flow in this area. The groundwater flow model provided the information needed to determine the nominal rate of injection and to provide for continuous saturation of transition zone material (relative to static groundwater conditions). In addition, the two northernmost groundwater extraction wells will be removed so that more groundwater can be produced from areas of higher groundwater contaminant concentrations.

The SWToolbox, a GIS interface and hydrological statistics tool developed by USGS, was utilized to determine the 7Q10 value for low flow; that is, the lowest 7-day average flow that occurs (on average) once every 10 years. The 7Q10 flow was 60 cubic feet per second (cfs), 40% lower than the 100 cfs low-water median flow rate provided by the USGS in a 1995 Water Resources Report.

Background values for exposure rate, soil, groundwater, and surface water will be presented in the section on decommissioning criteria. However, License Condition 27(b), which presents the decommissioning criterion for uranium in groundwater, is 180 pCi/L without saying that is the concentration *above background*. Consequently, EPM considers the NRC Criterion for uranium in groundwater to include natural uranium, not just licensed material.

Radiological assessment will be conducted whenever subsurface soil is brought to the surface on CERT property. Because survey instrumentation cannot demonstrate compliance with the license criterion for soil, samples of soil for laboratory analysis will be required.

The decommissioning schedule and decommissioning cost estimate will assume that the decommissioning plan will be accepted for technical review by the end of the year, and that two years will be required to obtain the license amendment.

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**Abandonment of Select Monitor Wells**

EPM has prepared a letter proposing to abandon Monitor Wells T-99, T-100, 1371, 1372, and 1373. The letter has been drafted and is being reviewed by a hydrogeological subject matter expert.

*EPM will submit the letter providing the analytical data for these wells and proposing to abandon the wells in accordance with Oklahoma Water Resources Board regulations before the end of August.*

**Next Monthly Status Teleconference**

The next Cimarron monthly project status teleconference will be conducted at 2:30 Eastern Time, 1:30 Central Time, on Wednesday, September 21, 2022.

*EPM will send and agenda approximately two weeks in advance of the meeting.*