

James Smith

From: James Smith
Sent: Tuesday, July 8, 2025 4:49 PM
To: Crawford, Mathew D
Cc: Yalen, Robert (USANYS); Stephanie Anderson; Linda Gersey; Rachel Miller; J. Paul Davis; ext_Keisha_Cornelius; courtney.redmond@deq.ok.gov; lee.dooley@deq.ok.gov; David A. Cates PE (david.cates@deq.ok.gov); Jonathan Reid; VCP Submittals; Hesemann, John; Angela Coggins
Subject: RE: CERT - Clarification of NRC's January 15, 2025, Letter Regarding Requirements for Divested Properties

Hi Matt-

Thank you for your letter of July 1, 2025, requesting additional clarification. To clarify, the formerly-owned 140-acre SW ¼ of Section 12 will not be included in the final dose assessment.

The reference to "institutional controls or deed restrictions" in the parenthetical in the NRC's January 2025 letter was only referring to the lack of any controls required by the NRC to manage radiological contamination on the property.

I will place this email into ADAMS to document this email and provide you with a copy of the accession number for your records.

Thanks

Jim



From: Crawford, Mathew D <mdcrawford@burnsmcd.com>
Sent: Monday, July 7, 2025 3:22 PM
To: James Smith <James.Smith@nrc.gov>
Cc: Yalen, Robert (USANYS) <robert.yalen@usdoj.gov>; Stephanie Anderson <Stephanie.Anderson@nrc.gov>; Linda Gersey <Linda.Gersey@nrc.gov>; Rachel Miller <Rachel.Miller@deq.ok.gov>; J. Paul Davis <j.paul.davis@deq.ok.gov>; ext_Keisha_Cornelius <Keisha.Cornelius@deq.ok.gov>; courtney.redmond@deq.ok.gov; lee.dooley@deq.ok.gov; David A. Cates PE (david.cates@deq.ok.gov) <david.cates@deq.ok.gov>; Jonathan Reid <jonathan.reid@deq.ok.gov>; VCP Submittals <vcpsubmittals@deq.ok.gov>; Hesemann, John <jhesemann@burnsmcd.com>
Subject: [External_Sender] CERT - Clarification of NRC's January 15, 2025, Letter Regarding Requirements for Divested Properties

Jim,

In a letter to the U. S. Nuclear Regulatory Commission (NRC) and the Oklahoma Department of Environmental Quality (DEQ) (ML22209A220) dated July 25, 2022, EPM, requested “NRC concurrence that divested portions of the formerly licensed site (for which the NRC approved divestiture with no institutional controls or deed restrictions) will not be included in the final dose assessment performed for license termination.”

In a letter dated January 15, 2025, the NRC granted the request, stating, “The divested portions of the formerly licensed site (for which the NRC approved divestiture with no institutional controls or deed restrictions) will not be included in the final dose assessment performed for license termination.” This clearly indicates that three of the four divested properties are now excluded from the final dose assessment to be performed for license termination. However, deed restrictions are in place on one of the four divested properties – the 140-acre SW ¼ of Section 12.

In anticipation of License SNM-928 termination, the NRC’s parenthetical statement “(for which the NRC approved divestiture with no institutional controls or deed restrictions)” could be interpreted to mean that the 140-acre SW ¼ of Section 12 will be included in the final dose assessment; although there are deed restrictions this property, they do not address radiological concerns.

In the attached letter (ML25188A226), EPM requests the NRC to provide formal documentation of one of the two proposed resolutions of this issue:

1. The formerly-owned 140-acre SW ¼ of Section 12 will not be included in the final dose assessment, or
2. The final dose assessment for the 140-acre SW ¼ of Section 12 will be based on the radiological data provided in the August 9, 1995, Final Status Survey Report – Phase I Areas (ML21158A013). The final status survey data provided in that report is the basis for the NRC’s unrestricted release of that property.

If you have any questions or desire clarification, please call me at 816-652-2784.

Regards,

Matt

Matt Crawford

Project Manager

Environmental Properties Management, LLC

o (816) 652-2784 \ m (785) 317-4535