NRC INSPECTION MANUAL

NMSS

INSPECTION MANUAL CHAPTER 0112

NRC OBSERVATIONAL SITE VISITS TO THE SHALLOW LAND DISPOSAL AREA

Effective Date: 07/13/2026

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0112-01 PURPOSE

This Inspection Manual Chapter (IMC) establishes responsibilities and provides guidance for the U.S. Nuclear Regulatory Commission (NRC) in its coordination and consultation role at the Shallow Land Disposal Area (SLDA) in Parks Township, Pennsylvania. Observational site visits are one mechanism in which the NRC will fulfill its coordination and consultation role to the U.S. Army Corps of Engineers (USACE), ensuring protection of the environment, public health and safety during site remediation.

0112-02 OBJECTIVES

02.01 Conduct observational site visits at SLDA; monitor remediation activities while using a risk-informed approach; share expertise and knowledge regarding site activities that may radiologically affect public health and safety and the environment.

0112-03 APPLICABILITY

This IMC will be utilized to fulfill the NRC's role in the remediation of SLDA via observational site visits, consistent with the June 13, 2014 Site-Specific Memorandum of Understanding (MOU) between USACE, NRC, U.S. Department of Energy – Office of Environmental Management (DOE-EM), and the National Nuclear Security Administration (NNSA), Agencywide Documents Access and Management System (ADAMS), (ADAMS Accession No. ML14189A307), and the July 5, 2001 Memorandum of Understanding Between the NRC and USACE for Coordination of Cleanup & Decommissioning of the Formerly Utilized Sites Remedial Action Program (FUSRAP) Sites With NRC-Licensed Facilities (66 *Federal Register* (FR*)* 36606) .

As described in the Site-Specific MOU, the NRC staff will share, through consultation and coordination, its knowledge and expertise related to special nuclear material (SNM) with USACE. The NRC may observe, as it deems warranted, remediation activities at SLDA. The purpose of this observation is to identify activities that have the potential to adversely affect the environment or the health and safety of the public. The activities may include direct observation of site activities as well as review and examination of documents, such as procedures, field reports, laboratory test results, equipment maintenance and testing, and photos or drawings. NRC inspection staff with technical expertise in areas such as criticality safety, decommissioning, health physics, environmental monitoring, and material control and accounting will conduct the observational site visits, commensurate with the ongoing activities at the site.

0112-04 RESPONSIBILITIES AND AUTHORITIES

Note: The responsibilities and authorities described reflect the organizational structure of the NRC at the time of the publication of this IMC and remain applicable to any successor organization.

04.01 Director, Division of Radiological Safety and Security, NRC Regional Office

a. Ensures that staff conducts and documents observational site visits in accordance with this instruction.

b. Ensures the availability of inspection staff with applicable subject matter expertise.

c. Prepares and facilitates funding for NRC involvement in the remediation of the SLDA.

04.02 Chief, of the responsible NRC Regional Branch

a. Oversees the planning and coordination of observational site visits.

b. Requests technical expertise from other technical and inspection branches, as needed.

c. Provides timely documentation of observational site visits.

d. Represents the NRC during meetings, public and non-public, as appropriate.

04.03 Director, of the responsible Division within the Office of Nuclear Materials Safety and Safeguards

a. Acts as the Principal Executive, per June 13, 2014, MOU.[1]

b. Obtains contracted technical assistance, if needed

04.04 SLDA Project Manager, Office of Nuclear Materials Safety and Safeguards

a. Provides guidance and coordinates with the decommissioning inspector on scheduling observational site visits to the site and provides suggestions on areas that should be observed based on USACE interactions and document reviews.

b. Acts as the NRC's Principal Representative with the USACE for the SLDA per June 13, 2014, MOU.

c. Coordinates NRC technical expertise in the areas of criticality safety, material control and accounting, and physical security to provide support to USACE, as needed.

d. Acts at the NRC point of contact should material be identified onsite necessitating assistance from other federal agencies.

e. Ensures NRC-produced documents are maintained and dispositioned according to NRC and USACE information security guidelines, including USACE-specific classification procedures.

04.05 Decommissioning Inspector

a. Performs observational site visit functions per this IMC.

[1] Note that the June 13, 2014, MOU identified the Deputy Director as the NRC's Principal Executive. However, this position no longer exists after a 2026 NRC re-organization effort.

b. Conducts reactive visits if NRC-licensed material necessitating the involvement of other federal agencies is identified.

c. Coordinates with USACE staff and the NRC SLDA project manager on planning and executing observational site visits.

d. Documents and prepares reports of observational site visits.

e. Observes and/or participates in public and non-public meetings, as appropriate.

0112-06 REQUIREMENTS

BWX Technologies, Inc. (BWXT or the Licensee) is the holder of NRC License No. SNM-2001 issued under Title 10 of the *Code of Federal Regulations* (10 CFR) Part 70, "Domestic Licensing of Special Nuclear Material," (ML111580520). Pursuant to the terms and conditions of the license, BWXT is authorized to receive, acquire, possess, and transfer byproduct, source, and special nuclear material (SNM) at the SLDA site.

In 2011, license SNM-2001 was placed in abeyance until such time that the USACE vacates the site after site remediation (ML112200466). The license was put into abeyance to comply with the Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States, January 2002 (Public Law 107-117, Section 8143), which mandates that the remediation of the SLDA site will be performed by the USACE, as part of the Formerly Utilized Sites Remedial Action Program (FUSRAP), and conducted pursuant to the Energy and Water Development Appropriations Acts for Fiscal Years 1998-2001 (ML112200466; Public Laws 105-62, 105-245, 106-60, and 106-377, respectively). Section 611 of Public Law 106-60 requires USACE to remediate FUSRAP sites in accordance with the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA) (42 U.S.C. 9601) and the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR Part 300).

05.01 Observational Site Visits

USACE, as provided for in Section 121(e) of CERCLA and 40 CFR 300.400(e), is not required to obtain an NRC license for remediation activities conducted under FUSRAP authority. The NRC will conduct observational site visits, in accordance with their coordination and consultation role as defined in the site-specific MOU. Observational site visits are technical evaluations, which provide the NRC with opportunities to consult and share expertise in support of USACE remediation activities. Observational site visits are not considered inspections. Consistent with the site-specific MOU, the staff's observational visits should be focused on USACE's activities, being consistent with the applicable or relevant and appropriate requirements in 10 CFR Parts 70, 73 and 74. Additionally, the MOU requires that USACE activities are conducted in compliance with 10 CFR Part 20, "Standards for Protection Against Radiation."

Observational site visits will be planned by the decommissioning inspector, in coordination with the SLDA project manager. The frequency and scope of observational site visits should be commensurate with the risk significance of site activities and performance. Through regular communication with USACE, the SLDA project manager and decommissioning inspector should maintain awareness of scheduled remediation activities with higher risk significance, which may prompt the presence of NRC personnel. The decommissioning inspector should coordinate promptly with the SLDA

Project Manager if there are significant potential health and safety concerns[2] identified during any observational visit.

During observation visits, the decommissioning inspector should conduct in-person walkdowns, interviews with site staff, and document review, with an emphasis on remediation activities with higher risk significance. Direct observation may be via video camera due to the presence of beryllium contamination on site necessitating the use of respiratory protection and health monitoring of workers. If during observational site visits NRC staff determines that remote observation does not provide reasonable assurance, NRC staff may revisit this decision.

Site-specific factors make the use of specific inspection procedures (IPs) by NRC personnel inappropriate. However, the inspectors should inform the planning and execution of their observational site visits by using guidance found in available inspection procedures, including those under IMC 2561, "Decommissioning Power Reactor Inspection Program," IMC 2602, "Decommissioning Fuel Cycle, Uranium Recovery, and Materials Inspection Program," and IP 88104, "Decommissioning Inspection Procedure for Fuel Cycle Facilities." While the NRC's fundamental role at SLDA is to ensure protection of public health and safety and the environment, occupational health and safety is considered a barrier to the public and the environment and, as such, is subject to NRC observational site visit activities. Similar to typical NRC inspections, documents obtained from USACE and provided to the NRC Inspector during the observational site visit should not be kept or docketed after the report is issued unless needed to comply with any litigation holds.

Inspectors should be familiar with the overall site remediation work plan, specific work plans for remediation activities underway during the observation visit, and all applicable MOUs. Specific topics of review may include environmental monitoring, occupational health and safety, final status surveys, criticality safety, physical security, and material control and accounting. Depending on the scope of the inspection, as well as the amount of time that has passed since the last site observation visit, decommissioning inspectors may consider reviewing documents including, but not limited to, procedures, equipment testing, field reports, laboratory test results, photos, or drawings relevant to remediation activities. Results of the observational visit will be discussed with USACE verbally either at the end of the visit or virtually soon after. The inspectors should use the philosophy of "no surprises" and communicate any concerns relating to public health and safety both to USACE and to the NRC SLDA Project Manager as the NRC's principle representative.

Observational site visits shall be conducted no less than twice per year, provided remediation activities occurring at the site are underway. Historically, USACE has held two public information sessions per year in the vicinity of the SLDA site. NRC personnel should consider attending at least one USACE information session annually, as available. Attendance at the USACE public information sessions should be coordinated with the SLDA project manager.

[2] Per the 2014 Site Specific MOU, The NRC will communicate to USACE, in writing, of any questions, comments, and concerns arising from NRC observations of USACE activities. NRC will immediately notify USACE of the observation (or reasonably suspected incidence) of conditions having the potential to adversely affect management of SNM, criticality safety, physical security, material control and accounting, the environment, or the health and safety of the public.

05.02 Documentation

Decommissioning inspectors and the SLDA project manager will communicate or discuss the results of site observation visits with USACE, through distribution typical of routine observational site visit reports. Observational site visit results will be documented in the form of narrative reports addressed to the USACE Principal Representative and the SLDA project manager, under NRC Docket No. 07003085. These reports will detail the activities observed by the decommissioning inspector, and any questions, comments, and concerns arising from the observational site visit. These reports are not required to follow guidance established by IMC 0610, "Nuclear Materials Safety and Safeguards Inspection Reports." All reports are official NRC records and must be retained in accordance with the approved schedule of records retention and disposal. Any sensitive information should be documented in accordance with NRC procedures. Unless the observational site report contains sensitive or classified information, the report shall be made publicly available. The content of site documents may involve information controlled by 10 CFR Part 810, "Assistance to Foreign Atomic Energy Activities," and should be protected accordingly. Reference to NRC Docket 07003085 should be included in the observational site visit report's ADAMS profile.

05.03 Qualifications

Observational site visits shall be conducted by qualified inspectors. Decommissioning inspectors qualified under IMC 1248, "Formal Qualifications Program for Federal and State Material and Environmental Management Programs," Appendix F, "Training Requirements and Qualification Journal for Decommissioning Inspectors" should lead site observation visits. To incorporate various skillsets, inspectors qualified under a different IMC may perform observational site visits upon approval of the Regional Decommissioning Branch Chief. Oversight or coordination with the Director of the responsible Division within the Office of Nuclear Materials Safety and Safeguards may be needed, to facilitate utilization of non-inspector subject matter experts, and/or contract support. During observational site visits, the activities of non-inspector subject matter experts and/or contracted support shall be overseen onsite by a qualified decommissioning inspector.

Decommissioning inspectors who will lead, or will be significantly involved in observational site visits, should complete the following coursework: F-101(S), "Nuclear Criticality Self-Study Course," F-201(S), "Fuel Cycle Processes Self-Study Course," and MCA-101DE, "Introduction to Nuclear Material Control and Accountability."

0112-06 REFERENCES

IMC 0610, "Nuclear Materials Safety and Safeguards Inspection Reports"

IMC 1248, "Formal Qualifications Program for Federal and State Material and Environmental Management Programs," Appendix F, "Training Requirements and Qualification Journal for Decommissioning Inspectors"

IMC 2561, "Decommissioning Power Reactor Inspection Program"

IMC 2602, "Decommissioning Fuel Cycle, Uranium Recovery, and Materials Inspection Program"

IP 88104, “Decommissioning Inspection Procedure for Fuel Cycle Facilities”

Site-Specific Memorandum of Understanding (MOU) between USACE, NRC, U.S. Department of Energy – Office of Environmental Management (DOE-EM), and the National Nuclear Security Administration (NNSA), dated June 13, 2014 (ML14189A307).

Memorandum of Understanding Between the NRC and USACE for Coordination of Cleanup & Decommissioning of the Formerly Utilized Sites Remedial Action Program (FUSRAP) Sites With NRC-Licensed Facilities (66 FR 36606), dated July 5, 2001

FUSRAP Security Classification Guide for Shallow Land Disposal Area project, dated June 20, 2018 (ML26133A287).

NRC, 1997, “10 CFR Part 20, et al., Radiological Criteria for License Termination; Final Rule, July 21, 1997, 62 FR 39057.

NRC, 2000, NUREG–1575, Multi-Agency Radiation Survey and Site Investigation Manual (MARSSIM). EPA 402–R–97–016, Rev. 1, DOE/EH–0624, U.S. Department of Defense (DoD), U.S. Department of Energy (DOE), U.S. Environmental Protection Agency (EPA), and NRC, Revision 1, issued August 31,2000, Washington, D.C., (ML003761445).

NRC, 2001, List of Corrections to Multi-Agency Radiation Survey and Site Investigation Manual, Revision 1, 66 FR 34727, pages 34727-34728 (2 pages).

END

Attachment 1: Revision History for IMC 0112

Commitment Tracking Number	Accession Number Issue Date Change Notice	Description of Change	Description of Training Required and Completion Date	Comment Resolution and Closed Feedback Form Accession Number (Pre-Decisional Non-Public Information)
N/A	ML26149A008 07/13/26 CN 26-033	New Edition: Incorporate guidance for observation site visits to the SLDA.	N/A	