



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

(FSME-08-036, April, Other, Decommissioning Information Request)

April 9, 2008

ALL AGREEMENT STATES, MICHIGAN, NEW JERSEY, VIRGINIA

INFORMATION REQUEST: STATUS OF CURRENT COMPLEX DECOMMISSIONING AND URANIUM RECOVERY SITES (FSME-08-036)

Purpose: To seek information from the Agreement States on the status of decommissioning activities at Materials and Uranium Recovery sites in order to update the Nuclear Regulatory Commission's (NRC's) annual report titled, "Status of Decommissioning Program" (NUREG-18 14).

Background: Since the early 1990's, the NRC has prepared an annual report providing the status of NRC's decommissioning program. In 2006, the Commission directed the staff to expand its discussion of Agreement State decommissioning/reclamation activities to present a national perspective on decommissioning. With this in mind, the NRC staff requested that the Agreement States provide a listing of all "complex" sites undergoing decommissioning and a listing of uranium recovery sites undergoing reclamation, for inclusion in NUREG-1814; "Status of the Decommissioning Program." NRC regards complex sites as those that are required to provide a decommissioning plan or sites that require formal NRC or State approval prior to being decommissioned. In future reports to the Commission, the NRC's decommissioning program would like to continue to present a national perspective on decommissioning, which would include current information from the Agreement States on each of their complex decommissioning and uranium recovery sites. Therefore, we are requesting your assistance by asking that you provide the information requested in the Enclosure. For States with uranium recovery authority, we would also ask that you include information for those facilities undergoing decommissioning/reclamation and request that you segregate that information in your submittal. If you do not have any decommissioning or uranium recovery sites, please so indicate in your response.

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NRC Point of Contact: Please direct all your responses and questions with respect to this correspondence to Richard Chang or Giorgio Gnugnoli, Office of Federal and State Materials and Environmental Management Programs, at the telephone numbers or e-mail addresses listed. We would appreciate receiving your response* within 30 days of the date of this letter.

Sincerely,

/RA/

Robert J. Lewis, Director
Division of Materials Safety
and State Agreements
Office of Federal and State Materials
and Environmental Management Programs

Enclosure:
Current Complex Decommissioning and
Uranium Recovery Sites

* This information request has been approved by OMB 3150-0206, expiration 03/31/2011. The estimated annual burden per response to comply with this voluntary collection is approximately 20 hours. Send comments regarding the burden estimate to the Records and FOIA/Privacy Services Branch (T-5F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by Internet e-mail to infocollects@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202 (3150-0206), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

Current Complex Decommissioning and Uranium Recovery Sites

For each site in each Agreement State, please provide:

1.0 Site Identification

Location:	City, State
License No. or other regulatory identification code:	
Submittal Date of the Decommissioning or Reclamation Plan:	XX January YYYY
Approval Date of the Decommissioning Plan	XX January YYYY
License or Regulatory Status:	e.g., Terminated License
Project Manager:	e.g., Caspar Allerdyce

2.0 Site Status Summary

Discuss the site operational status, type of operational activity under license or authorization, past owners, past history of transfers, related authorized activities, limitations, areal size and configuration, number of structures, inventory of materials under control, significant radionuclides, types and volumes of contaminated media, dates and progress of any remedial or decontamination activities, release provisions (e.g., for unrestricted use or restricted use), institutional control provisions, other Federal or State agencies' involvement (e.g., partial site cleanup under CERCLA), inspection history and noteworthy characteristics of the site and contamination (e.g., arid conditions; groundwater quality class).

Please indicate if the site will be decommissioned to a concentration-based or a dose-based criterion. Please state the cleanup level for the relevant criterion in pCi/gm (volumetric), in dpm/100cm² (surficial), or in pCi/l (for liquids) for the concentration-based criterion; and in mrem/yr for the dose-based criterion, as appropriate.* Also, please indicate whether your State allows decommissioning and license termination with restrictions on future site use similar to NRC's regulations at 10 CFR 20.1403 or alternate concentration criteria in specified media corresponding to risk/dose constraints (e.g., DCGL of 0.2 Bq/g). Examples of site summaries for NRC-licensed complex decommissioning sites are available at URL: <http://www.nrc.gov/info-finder/decommissioning/complex/>. For uranium recovery sites undergoing decommissioning/reclamation, please provide the corresponding information on relevant criteria to be applied for decommissioning/reclamation, institutional controls, license termination, and long-term surveillance plan provisions.

3.0 Major Technical or Regulatory Issues

Discuss whether this is a licensed facility or a legacy site. Include any information about issues that could impact the decommissioning schedule such as heightened public or governmental interest, unresolved policy or technical issues, lack of access to waste disposal capacity, poor licensee performance or if further characterization is necessary.

Enclosure

* SI units can be used, if so desired.

4.0 Financial Assurance Status

Please address the financial assurance arrangement (e.g., prepayment, surety, insurance, guarantee, external sinking fund, or statement of intent) with respect to each complex facility's decommissioning plan or uranium recovery site reclamation plan. This should describe the sufficiency of the financial instrument for assuring completion of decommissioning or reclamation. Include information about the entity responsible for decommissioning. To the extent that it is available, the description should track the original financial assurance estimate and changes over the lifetime of the operation to keep the financial assurance instrument up-to-date. If the site will be a restricted release site, then the provisions to provide financial assurance for any prolonged storage or surveillance should also be discussed. For all of the complex sites and uranium recovery sites undergoing decommissioning/reclamation, please indicate whether there is a plan for assuring the availability of adequate funds for completion of decommissioning/reclamation.

In collecting this information for each complex decommissioning site, the Agreement State is requested to indicate whether there are any licensees or site owners who do not have sufficient funds to complete decommissioning/reclamation. If so, please address the following questions:

- 1) What are the site's name, location, and license status?
- 2) Is the site owner a licensee?
- 3) What is the estimated cost of decommissioning/reclamation? Do you rely on the site owner's cost estimate, or have you done an independent estimate?
- 4) How much financial assurance has the site owner provided? (To be considered inadequately financed, the amount of financial assurance must be less than the estimated decommissioning/reclamation cost.)
- 5) Does the site owner have access to funds in addition to its financial assurances, such that it is possible that the owner will complete decommissioning/reclamation?
- 6) What are the primary radionuclides and estimated volume of contaminated material?
- 7) What actions have been taken to encourage the site owner to either complete decommissioning/reclamation or provide financial assurance adequate to cover the decommissioning/reclamation cost estimate?
- 8) What issues are pending and what is the path forward to obtain adequate funds and/or financial assurance?

How Financial Information Will Be Treated

The financial information provided in response to this letter shall be treated as confidential, if so requested by the transmittal letter responding to this information request. The NRC confidentiality provisions are addressed in 10 CFR 2.390 and 10 CFR 9.17. If the supplied financial information is to be treated as sensitive, an affidavit must accompany the transmittal, as specified in 10 CFR 2.390(b).

Please note that should any Freedom of Information Act or similar State-equivalent provision for releasing information to the public be invoked within an Agreement State regarding financial information of an NRC-materials licensee or NRC-regulated materials site undergoing decommissioning, the Agreement State will refer such requests to the NRC. The NRC will consult with the relevant Agreement State authority in responding to any such request for Agreement State controlled materials sites undergoing decommissioning.

Information on the status of financial assurance for any NRC-controlled materials facility undergoing decommissioning would be circulated under the provisions of Office of Federal and State Materials and Environmental Management Programs Procedure SA-800, as Radiation Control Program Directors (RCPD) letters. This financial status information is considered Sensitive Unclassified Non-Safeguards Information (SUNSI), because it may be designated as proprietary information at the licensee's or site owner's formal request. Such information containing SUNSI is provided to Agreement States that can protect the information from public disclosure on a "need-to-know" basis only, and in accordance with NRC Management Directive (MD) 3.4, Release of Information to the Public. Whether the Agreement State can provide this degree of protection or not must be formally stated in reply to this letter. Should the Agreement State not be able to provide this protection, NRC-controlled decommissioning site financial status information will be withheld from that Agreement State. For those NRC-controlled decommissioning sites not requesting that financial assurance information be withheld, the financial assurance status will be routinely provided to all of the Agreement States.

5.0 Estimated Date for Closure

Please provide the estimated date for closure by month, day and year.

6.0 Additional Information

Please feel free to include any additional information that you feel will assist in understanding the types of facilities that are being decommissioned/reclaimed in your State and any issues associated with the decommissioning/reclamation of these sites.