

NRC/Agreement States Working Group
on Termination of Uranium Mill Licenses in Agreement States

CONFERENCE CALL SUMMARY

May 30, 2001

2-4 pm EDT

Participants

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* Co-Chair

1. General Discussions

- Ž Conference call participants are listed above.
- Ž Due to schedule conflicts, WG has rescheduled its third and fourth conference calls. WG will have the third conference call on July 31 (Tuesday) and the fourth conference call on September 5 (Wednesday).
- Ž Kevin Hsueh reported that the WG charter is in the process of being approved by NRC management and OAS Chair.
- Ž Kevin Hsueh reported that a new web site posting WG related documents such as meeting agenda, meeting summaries and draft procedures, etc., will be available shortly.

2. Status of Specific Tasks

Task 1 Draft revised STP SA-900 Procedure:

- Ž Kevin Hsueh presented the draft revised procedure and indicated areas where major changes have been made to the current procedure. In addition to two sample Completion Review Reports (CRRs), the draft procedure will include two sample NRC determination letters for both conventional and non-conventional uranium mills.
- Ž The WG discussed how the revised SA-900 procedure can be applied to the Kerr-McGee site in Illinois. WG noted that the site will be released for unrestricted surface use in the near future but the license will not be terminated until ground water corrective actions are completed which are expected to be a long time. The WG considers this site as a special case and the revised procedure will not be applied until the site is ready for license termination.

Task 2 Sample CRR for Conventional Uranium Mill

- Ž WG's discussions centered around the level of detailed information needed in the CRRs. One suggestion was that Agreement States (AS) submit two reports to NRC: a CRR and a Technical Evaluation Report (TER). The CRR summarizes AS staff's findings that all applicable standards and requirements have been met. The TER provides bases and appropriate level of detailed analyses to support the findings. During the discussion, it was noted that some AS may not have a single TER which includes all aspects of reclamation and decommissioning activities. WG noted that the two report approach may create a situation that AS staff may have to prepare a separate TER for NRC review.
- Ž WG discussed how NRC can involve in early interactions with AS including site visits, providing technical assistance on specific issues related to review of reclamation and decommissioning plans, and review of draft TERs. WG noted that except for site visits, NRC would need significant amount of additional resources to carry out these activities.

With respect to site visits, over the past six months, NRC staff has visited six uranium milling sites under AS jurisdiction in CO and TX, and it appears to be beneficial for both NRC and AS.

With respect to review of reclamation and decommissioning plans, WG recognized that for most of the uranium milling sites in AS, these plans have been approved by AS. It would not have any effects on most of the sites, if NRC decides to start interactions with AS on review of reclamation and/or decommissioning plans.

With respect to review of draft TERs, as noted earlier, AS may not have a single TER which addresses all aspects of reclamation and decommissioning activities. In addition, most TERs that address specific reclamation and decommissioning activities may have been finalized by AS. And again it would not have any effects on most of the sites, if NRC decides to start interactions with AS on review of draft TERs.

- Ž WG discussed the use of IMPEP on-site review as part of the early interactions with AS to identify any problem areas associated with review of reclamation and decommissioning plans conducted by AS. Due to the complexity and the involvement of several technical disciplines, and the time constraint, WG noted that IMPEP teams may not have sufficient resources to conduct an in-depth detailed technical review of uranium milling facilities. However, WG would like to suggest that a special review of uranium recovery program may be recommended by the IMPEP team as an option if the team decides that it is necessary to have such a separate review.
- Ž NRC review of the Long-Term Surveillance Plan (LTSP) was briefly discussed. WG noted that review of LTSP is not within the scope of the WG charter.

Task 3. Sample CRR for Non-conventional Uranium Mill

- Ž Kevin Hsueh reported that a sample summary and a sample description of licensee's activities are provided in the CRR for review and comment.
- Ž Ted Johnson indicated that Mike Layton will provide input to those sections related to groundwater remediation.

Task 4. WG recommendations

- Ž WG recommends that NRC continue to have site visits as part of the early interactions with AS prior to license termination. A statement regarding site visits should be included in the revised SA-900 Procedure.
- Ž As discussed under Task 2, WG recommends that NRC consider having a special team to review AS uranium recovery program in addition to the existing IMPEP on site review if the IMPEP team recommends that such a follow-up review would be necessary.

3. Working Group Meeting with Stakeholders in Denver

- Ž Kevin Hsueh reported the location and meeting time for the first WG meeting. He indicated that there will be a presentation on the status of the WG activities and a separate panel discussion on the license termination at the Washington Western Nuclear's Sherwood Site during the NMA/NRC uranium recovery workshop (July 13-14).
- Ž WG members were requested to send revised texts to Kevin Hsueh by June 6.

4. Discussions/comments from participants

- Ž Mr. Hamrick expressed his thanks to NRC for making the process in revising the procedure an open and public one. He also supported the view of submitting a single CRR for NRC review instead of the two report (CRR and TER) approach.

- Ž Mr. Hamrick commented that an effective way for NRC to involve in the process is by early interactions with AS while important licensing decisions are being made instead of using the IMPEP on site review to identify any potential problems.
- Ž Mr. Plessinger commented that there is a need to examine the current process on NRC review of LTSP considering the potential changes in the NRC review of AS license termination proposals.

Following are additional comments provided by Mr. Hamrick through an e-mail dated May 31, 2001:

Ž Comments on SA-900 Procedure

STP in NMSS stands for Staff Technical Position. So STP will now be an ambiguous reference.

III. Background, B. a suggested change to the third sentence. (Suggested change in italics). "A non-conventional uranium mill is a facility that generates limited byproduct materials which are normally transferred to *conventional* tailings impoundments..."

V. D. Bases to be used for NRC determination: I realize that in the sample CRR for conventional mills that the NRC standards are provided in the sample table. But won't a state want to list their regulatory requirements in that table? In any case, I think it would be nice to list the NRC requirements in V.D.1.a.(ii), (iii) and (iv). The same comment applies to b.

Appendix C in SA-900, Step 2: "All identified hazardous constituents for which groundwater compliance sampling is being conducted at a licensed site must be returned to the concentration limits or alternate concentration limits set as standards..." I think this change is necessary to recognize that ACLs will be applicable at some sites.

Appendix C in SA-900, Step 2, the following statement is made: "At license termination, the State should require licensees to sample for all constituents previously identified in the tailings liquor to ensure that no further remediation is necessary". There will be cases when no degradation has occurred, so demonstrating "no further remediation is necessary" is kind of a non-sequitur. At a site where no groundwater degradation has occurred, no monitor wells are necessary to be transferred to DOE. At sites where ACLs have been granted the only existing wells will be the POCs. In both cases unneeded wells will be sealed at the end of the observational period. Umetco suggests deletion of this sentence.

Ž Comments on sample CRR for conventional:

Page two has the table that has a column heading "Standards/Requirements". Since a state may adopt an alternative (after Commission approval), the column should read "Standards, Requirements or Alternatives".

Page 3 third paragraph third sentence should read; "Contaminated soils were disposed in the tailings impoundments or repositories." Some mills have new repositories that were not used for hydraulic placement of tailings but contain byproduct material. Also, many of the older impoundments were not lined.