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K. L. COOL, Director

May 5, 1999

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Proposed Action, First Sentence contains a typographical error; "seal sources" should read "sealed sources."

The Need for Proposed Action, First Paragraph, Third Sentence states that U-238 concentrations were elevated in samples with elevated Th levels. The presence of U-238 has not been unequivocally proven at the Tobico Marsh SGA site. It appears that this determination has been made based on the results of ORAU (ORAU, 1985 rev.) surveys performed in 1984-1985 under contract with the NRC.

- Table 5 of the ORAU (ORAU, 1985 rev.) report contains the highest levels of thorium found at the site; however, Uranium-238 was not detected in these samples because of *"large minimum detectable values due to interference from thorium concentrations."*
- Table 4 of the ORAU (ORAU, 1985 rev.) report contains several samples with elevated levels of thorium that have elevated concentrations of U-238 ranging from about 2.0 to a maximum of 5.7 pCi/g. These U-238 values have very high relative errors, often more than 100%. These low levels of U-238 may be also be caused by interference from thorium.
- Appendix B of the ORAU (ORAU, 1985 rev.) report indicates that U-238 was measured using the 0.094 MeV photon (5.6% yield) from Th-234 or the 1.001 MeV photon (0.84% yield) from Pa-234m. Actinium-228 (daughter of Th-232) emits a 0.09335 MeV photon (3.2% yield), which gamma spectroscopy is incapable of reliably distinguishing from the Th-234 (U-238) 0.094 MeV photon. This potential interference may have resulted in false-positive Uranium-238 results and, subsequently, a false conclusion that Uranium-238 is a co-contaminant.

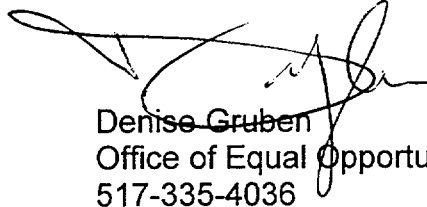
The Need for Proposed Action, First Paragraph, Last Sentence states that "These activity levels would result in doses substantially in excess of the unrestricted release requirements of 10 CFR 20." Although this may be the case, it is not necessarily true. There is not an adequate basis for this statement because neither the NRC nor the licensee has completed a site specific dose assessment. Sentence should be revised to reflect this uncertainty by stating "...levels may result in..."

Agencies and Individuals Consulted, Second Sentence should say "The staff from the State of Michigan, Departments of Environmental Quality and Natural Resources reviewed a draft of this EA."

Ms. Sherry Wu
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Generally, the document reads well and the Department of Natural Resources encourages the Nuclear Regulatory Commission to proceed with the public comment period for licensure of the subject site. If you have any questions, please feel free to contact me.

Sincerely,



Denise Gruben
Office of Equal Opportunity & Legal Services
517-335-4036

cc: Mr. David Minnaar, MDEQ
Mr. Christopher D. Dobyns, MDAG