

Thanks,
Sherry

>>> Edward Kulzer 5/27/1999 8:08:57 AM >>>

Sherry

Sorry, I have been waiting for the final survey data to review and a survey date from DOW Chemical in Bay City in order to schedule the Hartley & Hartley site but I have not gotten any information from them as yet. I will advise you as soon as I can. If necessary, we will just go to MDNR when you can make it.

>>> Sherry Lewis 05/27 7:00 AM >>>

Ed,

I remember you mentioned that the MDNR inspection may be scheduled for the second week of July. Is that set yet? I'll be out of the office (on rotation to DOE Hanford site) from 6/2 to 7/1, so I have to either plan for that trip before I leave on 6/2 or after I get back to work on 7/6.

Thanks,
Sherry

Al 18

From: Edward Kulzer
To: Sherry Lewis
Date: Wed, Jul 7, 1999 10:41 AM
Subject: Re: MDNR wants to meet us for guidance

Sherry,

I'd like to attend. I'd also like to know if we should have Dr. Lee attend he is a CHP from our region and is familiar with the site?

>>> Sherry Lewis 07/07 7:46 AM >>>
Ed,

Just to let you know, Steve Masciulli called me on behalf of MDNR to schedule a meeting between NRC and MDNR to (1) get technical guidance on buried waste and (2) get feedback on their line of thinking for their characterization plan. They couldn't find much guidance on buried waste, and want NRC input. They have completed a characterization plan, and would like to know whether their line of logic (i.e., dose assessment methods, the number of samples, etc.) is reasonable before they actually begin site characterization.

Steve estimates that the meeting with NRC would (1) last about ½ day, (2) require NRC personnel who are knowledgeable about DG-4006, buried waste, and/or health physics, and (3) take place at NRC headquarters. He wants to meet in August 1999 so that MDNR can begin site characterization in September 1999 (license should be issued by then).

As of now, we're looking to schedule the meeting during the week of August 23, 1999. You're invited to attend. If you would like to join us via telephone, please let me know so that I can set up a line.

-Sherry

From: Edward Kulzer
To: Sherry Lewis
Date: Wed, Jul 7, 1999 1:41 PM
Subject: Re: MDNR inspection schedule?

Sherry,

Our inspection at MDNR will last about an hour. We will start about 1:00 pm and will be finished by 2:00 pm. If you still plan to stay over, let me know.

>>> Sherry Lewis 07/07 1:21 PM >>>
Ed,

Thanks for the info. My flight arrives at Saginaw Airport on Tuesday, July 13, 1999 at 11:05 AM by Northwest Airlines. I'm scheduled to leave Saginaw Airport on Wednesday, July 14, 1999 at 10:40 AM. Please let me know if the times are inconvenient for you, so that I can adjust my schedule accordingly.

I'll stay overnight at the Crown Plaza. Do you have the hotel's phone number? Also, please let me know whether I should take a cab to the hotel or you'll meet me at the airport. I'm not planning to get a rental car.

Thanks,
Sherry

>>> Edward Kulzer 7/7/1999 11:38:03 AM >>>
Sherry,

You fly into Saganaw, MI. Let me know when your flight gets in and I will meet you at the airport. Dr. Peter Lee and I are planning to do DOW Chemical and Waste Management during this inspection. The MDNR site is just a walk over and won't take more than two hour max. We will do the DOW site on Tuesday and Wensday morning and the former Hartley & Hartley site on Tuesday afternoon. We plan on staying at the Crown Plaza Hotel in Saganaw. There is no need for you to do the other inspections with us. Let me know when your flight arrives and we'll pick you up or we can meet you at the Hotel.

>>> Sherry Lewis 07/06 2:51 PM >>>
Ed,

Yes, I can go on 7/14/99.

Just some administrative questions: Am I only accompanying you to the MDNR site or are there other sites? When should I be there and when could I leave? What city do I fly to? What lodging would I be staying at? Do I need a rental car?

Thanks,
Sherry

>>> Edward Kulzer 7/6/1999 1:07:31 PM >>>
Sherry,
We set an inspection up for July 14, 1999. Can you make it?

>>> Sherry Lewis 07/02 9:41 AM >>>
Ed,

Just curious, have you scheduled the MDNR inspection? Will it take place by September 1999? Right now, I know that I would not be able to go from 8/16 - 8/20/99, and 9/9 - 9/24/99.

From: Edward Kulzer
To: Sherry Lewis
Date: Wed, Jul 7, 1999 2:23 PM
Subject: Bay City

Sherry,

Here is the phone number for Fairfield Inn which is in Bay City and is the best way to get to the MDNR site 5176677050. The Crown Plaza is in Saganaw and the phone number is 5177536608. Just so you are aware the Fairfield is only one or two years old and the Crown Plaza is in downtown Saganaw which is not a good area..

From: Edward Kulzer
To: Sherry Lewis
Date: Wed, Jul 7, 1999 2:45 PM
Subject: Re: MDNR inspection schedule?

Sherry,
If possible it would be easier if you rented a car and meet us at the Fairfield Inn. We will be working at Dow and don't know when we will finish.

>>> Sherry Lewis 07/07 2:31 PM >>>
Hi Ed,

Thanks for the info on the hotels. I also didn't realize that the inspection will be so quick. I just changed my flight time in that I'll leave Saginaw Airport the same day, Tuesday, July 13, 1999 at 5:10 PM. Is this okay with you? Is it possible for you to meet me and drop me off at the airport?

Thanks,
Sherry

>>> Edward Kulzer 7/7/1999 2:41:23 PM >>>
Sherry,
Our inspection at MDNR will last about an hour. We will start about 1:00 pm and will be finished by 2:00 pm. If you still plan to stay over, let me know.

>>> Sherry Lewis 07/07 1:21 PM >>>
Ed,

Thanks for the info. My flight arrives at Saginaw Airport on Tuesday, July 13, 1999 at 11:05 AM by Northwest Airlines. I'm scheduled to leave Saginaw Airport on Wednesday, July 14, 1999 at 10:40 AM. Please let me know if the times are inconvenient for you, so that I can adjust my schedule accordingly.

I'll stay overnight at the Crown Plaza. Do you have the hotel's phone number? Also, please let me know whether I should take a cab to the hotel or you'll meet me at the airport. I'm not planning to get a rental car.

Thanks,
Sherry

>>> Edward Kulzer 7/7/1999 11:38:03 AM >>>
Sherry,
You fly into Saganaw, MI. Let me know when your flight gets in and I will meet you at the airport. Dr. Peter Lee and I are planning to do DOW Chemical and Waste Management during this inspection. The MDNR site is just a walk over and won't take more than two hour max. We will do the DOW site on Tuesday and Wensday morning and the former Hartley & Hartley site on Tuesday afternoon. We plan on staying at the Crown Plaza Hotel in Saganaw. There is no need for you to do the other inspections with us. Let me know when your flight arrives and we'll pick you up or we can meet you at the Hotel.

>>> Sherry Lewis 07/06 2:51 PM >>>
Ed,

Yes, I can go on 7/14/99.

Just some administrative questions: Am I only accompanying you to the MDNR site or are there other sites? When should I be there and when could I leave? What city do I fly to? What lodging would I be

staying at? Do I need a rental car?

Thanks,
Sherry

>>> Edward Kulzer 7/6/1999 1:07:31 PM >>>

Sherry,
We set an inspection up for July 14, 1999. Can you make it?

>>> Sherry Lewis 07/02 9:41 AM >>>
Ed,

Just curious, have you scheduled the MDNR inspection? Will it take place by September 1999? Right now, I know that I would not be able to go from 8/16 - 8/20/99, and 9/9 - 9/24/99.

Thanks,
Sherry

>>> Edward Kulzer 5/27/1999 8:08:57 AM >>>

Sherry
Sorry, I have been waiting for the final survey data to review and a survey date from DOW Chemical in Bay City in order to schedule the Hartley & Hartley site but I have not gotten any information from them as yet. I will advise you as soon as I can. If necessary, we will just go to MDNR when you can make it.

>>> Sherry Lewis 05/27 7:00 AM >>>
Ed,

I remember you mentioned that the MDNR inspection may be scheduled for the second week of July. Is that set yet? I'll be out of the office (on rotation to DOE Hanford site) from 6/2 to 7/1, so I have to either plan for that trip before I leave on 6/2 or after I get back to work on 7/6.

Thanks,
Sherry

From: Edward Kulzer
To: Sherry Lewis
Date: Wed, Jul 7, 1999 3:05 PM
Subject: Re: Concurrence for MDNR FRN (with final EA) on license

Sherry,

The section **Need for Proposed Action** mentions U-238. The ORISE has been reviewed by Dr. Lee and is below our release criteria of 25 millirem per year or 35 picocuries per gram. The rest looks good.

>>> Sherry Lewis 07/06 10:00 AM >>>
Ed,

I've attached the Federal Register Notice (FRN) that includes the final Environmental Assessment (EA) for the licensing of Michigan Department of Natural Resources Tobico Marsh site. You've reviewed and concurred on the draft EA on April 22, 1999. Please concur or provide me your comments on the FRN with the final EA. Since I would like to get this out as soon as possible so that we can issue the license, may you respond by July 9? If you can't, please let me know.

Thanks,
Sherry

From: Edward Kulzer
To: Sherry Lewis
Date: Thu, Jul 8, 1999 8:05 AM
Subject: Re: Concurrence for MDNR final EA on license

yes

>>> Sherry Lewis 07/07 3:18 PM >>>
Ed,

Am I understanding you correctly that you concur on the final EA of MDNR?

Thanks,
Sherry

>>> Edward Kulzer 7/7/1999 4:05:51 PM >>>
Sherry,
The section **Need for Proposed Action** mentions U-238. The ORISE has been reviewed by Dr. Lee and is below our release criteria of 25 millirem per year or 35 picocuries per gram. The rest looks good.

>>> Sherry Lewis 07/06 10:00 AM >>>
Ed,

I've attached the Federal Register Notice (FRN) that includes the final Environmental Assessment (EA) for the licensing of Michigan Department of Natural Resources Tobico Marsh site. You've reviewed and concurred on the draft EA on April 22, 1999. Please concur or provide me your comments on the FRN with the final EA. Since I would like to get this out as soon as possible so that we can issue the license, may you respond by July 9? If you can't, please let me know.

Thanks,
Sherry

From: Sherry Lewis
To: MDNR 8/24/99 Meeting
Date: Mon, Jul 12, 1999 1:07 PM
Subject: MDNR Meeting on 8/24/99

To the address:

Michigan Department of Natural Resources (MDNR) requested a meeting between NRC and MDNR to discuss the Tobico Marsh site in Kawkawlin. You are currently scheduled or invited to attend. The purpose of the meeting is for MDNR to (1) get technical guidance on buried waste and (2) get feedback on their line of thinking for their characterization plan. They couldn't find much guidance on buried waste, and want NRC input. They have completed a characterization plan, and would like to know whether their line of logic (i.e., dose assessment methods, the number of samples, etc.) is reasonable before they actually begin site characterization.

TIME: Tuesday, August 24, 1999
9:00 am to 1:00 pm
PLACE: TWFN-7F5

Thanks,
Sherry Lewis
415-6619

CC: Jack Parrott

From: Sherry Lewis
To: Edward Kulzer, Peter Lee
Date: Mon, Jul 19, 1999 9:01 AM
Subject: Re: Meeting Regarding Tobico Marsh Characterization

Ed and Peter,

I'm forwarding the info below.

-Sherry

>>> "Steven Masciulli" <s.masciulli@snet.net> 7/19/1999 9:22:36 AM >>>
Sherry,

I wanted to send copies of email that I just sent you to Ed Kulzer and Peter Lee. However, I must not have their correct addresses because the mail was undeliverable. Could you please forward my email regarding the proposed meeting topics to them. Also, please cc me when you forward it to them so that I can get their correct email addresses.

Thank you,
Steve

>>> "Steven Masciulli" <s.masciulli@snet.net> 7/19/1999 8:50:20 AM >>>
Hi Sherry,

Has our meeting been confirmed for Tuesday, August 24th at 9:00?

Can you give me an updated status on the license?

A brief summary of the presentation and areas of discussion that we would like have on August 24th follows. If you have any questions or need additional information please let me know.

1. A brief review and summary of the investigations performed at the site to date, including the Historical Site Assessment, Preliminary Background Evaluation, and Scoping Survey.
2. Based on these studies, present a conceptual model of the location and distribution of the radioactive contamination. Use these studies to support selection of the non-impacted boundary and to perform preliminary classification of the impacted area into Class 1, 2 and 3 Survey Units.
3. Present the Characterization Survey/Final Status Survey Workplan. The conceptual model indicates that all of the Class 2 and 3 Survey Units and part of the Class 1 Survey Unit may meet the unrestricted release DCGL without decontamination. It is our intent that the Characterization Survey be sufficient to meet final Status Survey requirements for these areas.
4. The key element of the Characterization Survey is to locate the buried thorium in the Class 1 Survey Units using a combination of sampling, bore holes, and down hole gamma radiation measurements. It is important that the NRC consider the adequacy of these efforts. If these efforts fail to locate substantial amounts of buried radioactivity above the DCGL, the MDNR would

then want to use the Characterization Survey Results for final status survey of the Class 1 Survey Units without further field efforts.

5. The final part of the presentation will be to describe and discuss our preliminary analysis of a DCGL for the site. For a number of reasons, we feel that the resident farmer scenario is not applicable to unrestricted release of this site. We will present our reasoning and justification for selection of a different land use scenario, critical group, and dose assessment pathways. Measurements will be made during the Characterization Survey to support our reasoning and to supplement existing information. We would like the NRC to consider the validity of our reasoning and the adequacy of supporting data.

CC: "s.masciulli@snet.net"@GATED.nrcsmtp

From: Sherry Lewis
To: "s.masciulli@snet.net"@GATED.nrcsmtp
Date: Mon, Jul 19, 1999 9:22 AM
Subject: Re: Meeting Regarding Tobico Marsh Characterization

Steve,

Thanks for the brief summary of the presentation and areas of discussion for the upcoming meeting. Yes, that meeting is confirmed for Tuesday, August 24, 1999 at 9 AM and is expected to last about 4 hours.

As for the status of the MDNR license, the final Environmental Assessment (EA) is being reviewed by our general counsel now and their response is expected by the end of this week. I plan to send the final EA and Finding of No Significant Impact (FONSI) to the Federal Register after that (with management and general counsel concurrence). After the EA & FONSI are in the FR, we'll send you the license with the Safety Evaluation Report (SER). This should be all completed in August.

-Sherry

>>> "Steven Masciulli" <s.masciulli@snet.net> 7/19/1999 8:50:20 AM >>>
Hi Sherry,

Has our meeting been confirmed for Tuesday, August 24th at 9:00?

Can you give me an updated status on the license?

A brief summary of the presentation and areas of discussion that we would like have on August 24th follows. If you have any questions or need additional information please let me know.

1. A brief review and summary of the investigations performed at the site to date, including the Historical Site Assessment, Preliminary Background Evaluation, and Scoping Survey.
2. Based on these studies, present a conceptual model of the location and distribution of the radioactive contamination. Use these studies to support selection of the non-impacted boundary and to perform preliminary classification of the impacted area into Class 1, 2 and 3 Survey Units.
3. Present the Characterization Survey/Final Status Survey Workplan. The conceptual model indicates that all of the Class 2 and 3 Survey Units and part of the Class 1 Survey Unit may meet the unrestricted release DCGL without decontamination. It is our intent that the Characterization Survey be sufficient to meet final Status Survey requirements for these areas.
4. The key element of the Characterization Survey is to locate the buried thorium in the Class 1 Survey Units using a combination of sampling, bore holes, and down hole gamma radiation measurements. It is important that the NRC consider the adequacy of these efforts. If these efforts fail to locate substantial amounts of buried radioactivity above the DCGL, the MDNR would then want to use the Characterization Survey Results for final status survey of the Class 1 Survey Units without further field efforts.
5. The final part of the presentation will be to describe and discuss our

preliminary analysis of a DCGL for the site. For a number of reasons, we feel that the resident farmer scenario is not applicable to unrestricted release of this site. We will present our reasoning and justification for selection of a different land use scenario, critical group, and dose assessment pathways. Measurements will be made during the Characterization Survey to support our reasoning and to supplement existing information. We would like the NRC to consider the validity of our reasoning and the adequacy of supporting data.

CC: "cabrera@bnl.gov"@GATED.nrcsmtp, "cjacobso@hardin...

From: Sherry Lewis
To: Patricia Santiago, Richard CLEMENT
Date: Mon, Jul 26, 1999 6:30 AM
Subject: Question: U on MDNR license

Pat and Richard,

The current draft EA and draft license for MDNR has listed both Th and U. The region is recommending that the license excludes U since there is no evidence of U in the scoping survey (done in the 90's). I don't have a copy of this scoping survey that the region has (MDNR has not submitted it officially). I only have a survey report from 1985. I looked in that and it basically said U has not been unequivocally proven at the site because Th interference resulted in large minimum detectable values for U and the U values have very high relative errors. In MDNR's September 5, 1997, license application, it requested 0.26 Ci of U in the form of contaminated soil, sludge, sediment, trash, building rubble, structures, and any other material contaminated in excess of background levels.

Question: Should U be included or excluded from MDNR's license?

Please let me know if you need more information. Since Tim Johnson is out until 8/2/99, and I do need a quick turnaround, please respond by Wednesday (7/28/99). The final EA is about to go out in the Federal Register Notice.

Thanks,
Sherry

>>> Edward Kulzer 7/23/1999 9:17:08 AM >>>

Sherry,

I talked with Peter,

there is no evidence of uranium in the scoping survey. we should exclude it from license.

>>> Sherry Lewis 07/21 2:00 PM >>>

Ed and Peter,

As we discussed during the inspection of the ORISE, I wanted to find out if we should or shouldn't have uranium on MDNR's license. I looked up the SCA license to see if U was part of its license, and both Th and U are on the license as "Contaminated soil, sludge, sediment, trash, building rubble, structures, and any other material contaminated in excess of background levels." Because SCA has U on its license, I feel that it'll be more appropriate to keep U on MDNR's license in case (although unlikely) there is U above background on the site. Please let me know if you have comments.

Thanks,
Sherry

>>> Edward Kulzer 7/7/1999 4:05:51 PM >>>

Sherry,

The section **Need for Proposed Action** mentions U-238. The ORISE has been reviewed by Dr. Lee and is below our release criteria of 25 millirem per year or 35 picocuries per gram. The rest looks good.

>>> Sherry Lewis 07/06 10:00 AM >>>

Ed,

From: Sherry Lewis
To: Edward Kulzer, Peter Lee
Date: Mon, Jul 26, 1999 7:59 AM
Subject: Re: Question: U on MDNR license

Ed and Peter,

Pat Santiago and Tim Johnson will be out of the office until at least next week. I did talk to Richard Clement (HP) and Roy Person (acting for Tim) about this issue.

I don't have a copy of the scoping survey. Did you put it in the docket? It has to be in the docket if we're going to base any of our decisions on it. If possible, please send us a copy of the scoping survey. Also, if possible, please fax us pages that are relevant to showing that there is no evidence of uranium at the MDNR site. My fax number is (301) 415-5398.

Based on my discussions so far, I'm leaning towards keeping the U on the license because: (1) MDNR has requested U on its September 5, 1997, license application, (2) MDNR hasn't sent to me any reasons for excluding U from its license, (3) having U on the license is conservative and MDNR can always request that U be removed from the license, and (4) excluding U now may significantly delay issuing the license to MDNR.

Please let me know if you have questions/comments.

-Sherry

>>> Sherry Lewis 7/26/1999 7:30:05 AM >>>
Pat and Richard,

The current draft EA and draft license for MDNR has listed both Th and U. The region is recommending that the license excludes U since there is no evidence of U in the scoping survey (done in the 90's). I don't have a copy of this scoping survey that the region has (MDNR has not submitted it officially). I only have a survey report from 1985. I looked in that and it basically said there has not been unequivocally proven at the site because Th interference resulted in large minimum detectable values for U and the U values have very high relative errors. In MDNR's September 5, 1997 license application, it requested 0.26 Ci of U in the form of contaminated soil, sludge, sediment, trash, building rubble, structures, and any other material contaminated in excess of background levels.

Question: Should U be included or excluded from MDNR's license?

Please let me know if you need more information. Since Tim Johnson is out until 8/2/99, and I do need a quick turnaround, please respond by Wednesday (7/28/99). The final EA is about to go out in the Federal Register Notice.

Thanks,
Sherry

>>> Edward Kulzer 7/23/1999 9:17:08 AM >>>
Sherry,
I talked with Peter,
there is no evidence of uranium in the scoping survey. we should exclude it from license.

>>> Sherry Lewis 07/21 2:00 PM >>>
Ed and Peter,

As we discussed during the inspection of MDNR, I wanted to find out if we should or shouldn't have uranium on MDNR's license. I looked up the SCA license to see if U was part of its license, and both Th and U are on the license as "Contaminated soil, sludge, sediment, trash, building rubble, structures, and any other material contaminated in excess of background levels." Because SCA has U on its license, I feel that it'll be more appropriate to keep U on MDNR's license in case (although unlikely) there is U above background on the site. Please let me know if you have comments.

Thanks,
Sherry

>>> Edward Kulzer 7/7/1999 4:05:51 PM >>>

Sherry,

The section **Need for Proposed Action** mentions U-238. The ORISE has been reviewed by Dr. Lee and is below our release criteria of 25 millirem per year or 35 picocuries per gram. The rest looks good.

>>> Sherry Lewis 07/06 10:00 AM >>>

Ed,

I've attached the Federal Register Notice (FRN) that includes the final Environmental Assessment (EA) for the licensing of Michigan Department of Natural Resources Tobico Marsh site. You've reviewed and concurred on the draft EA on April 22, 1999. Please concur or provide me your comments on the FRN with the final EA. Since I would like to get this out as soon as possible so that we can issue the license, may you respond by July 9? If you can't, please let me know.

Thanks,
Sherry

CC: LeRoy Person, Patricia Santiago, Richard CLEMENT...