

October 3, 2005

Mr. Jeff Lux, Project Manager
Kerr-McGee Corporation
PO Box 25861
Oklahoma City, OK 73125

SUBJECT: License Amendment 19 of Cimarron Corporation's License (SNM-928)

Dear Mr. Lux:

In your letters dated August 19, 2003 and December 11, 2003, you requested that the Nuclear Regulatory Commission (NRC) staff amend your license to delete License Condition 22 and revise License Conditions 23 and 27e to reflect Cimarron's current status of decommissioning at the site relative to these conditions.

The NRC staff has completed its technical review of your request and finds that proposed revisions to the license have no adverse impact on health and safety or the environment. An environmental assessment (EA) (See ADAMS ML052060071) was prepared to support our review of your license amendment request, in accordance with the requirements of 10 CFR Part 51. Based on the staff's evaluation, the conclusion of the EA is a Finding of No Significant Impact (FONSI) on human health and the environment. A Safety Evaluation Report was also prepared for this licensing action and is included as an attachment. Therefore, the license is amended as follows:

License Condition 22 will be deleted.

License Condition 23 will be revised as follows:

23. The licensee is authorized to bury up to 14,000 cubic meters (m³) (500,000 cubic feet) of soil contaminated with low-enriched uranium, in the 1981 Branch Technical Position (BTP) Option 2 concentration range, in the location described in the licensee's October 9, 1989, submittal to the NRC. The BTP Option 2 concentration range is up to 100 pCi/g for soluble uranium and up to 250 pCi/g for insoluble uranium.
 - a. The licensee shall periodically monitor the disposal area for subsidence, erosion, and status of the vegetative cover for at least 5 years, and promptly repair any problems noted. Any additional measures necessary to prevent recurrence of the problems noted shall be undertaken.
 - b. Notification shall be placed on the land title to declare that uranium-contaminated soil has been buried on the site and to record the volume, average uranium concentration, and exact location of the buried soil. This notification is not to be considered a restriction on the sale or future use of the site. Furthermore, cairns (permanent markers) placed at the corners of the disposal cell shall be maintained.

- c. Licensee shall maintain and implement procedures and engineering controls, to the extent practicable, to achieve occupational doses and doses to members of the public that are ALARA.

License Condition 27e will be revised as follows:

- 27e. The licensee is authorized to make certain changes to the NRC-approved Decommissioning Plan (DP) and Radiation Protection Plan (RPP), without NRC's approval, if these changes are consistent with the ALARA principle and applicable decommissioning criteria. All changes shall be approved by the Cimarron ALARA Committee, subject to the following:

License Condition 27e.1.b. will be deleted and the former License Condition 27e.1.c will now become License Condition 27e.1.b. License Condition 27e.4 will be added and will read as follows:

- 4. Radiation protection program procedures or revisions to these procedures do not require review and approval of the ALARA Committee but do require review and approval by the Radiation Safety Officer.

All other conditions of the license remain the same.

If you have any questions or comments related to this amendment, please contact Mr. Ken Kalman, of my staff, at (301) 415-6664.

Sincerely,

/RA/

Daniel M. Gillen, Deputy Director
Decommissioning Directorate
Division of Waste Management
and Environmental Protection
Office of Nuclear Material Safety
and Safeguards

Docket No.: 70-925
License No.: SNM-928

Enclosures:

- 1. License Amendment No. 19
- 2. Safety Evaluation Report

cc: Cimarron distribution list

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