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70-36

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

November 21, 1997

Mr. Robert W. Sharkey, Manager
Regulatory Compliance
Combustion Engineering, Inc.
3300 State Road P
Hematite, MO 63047

SUBJECT: DECOMMISSIONING OF THE 20.304 DISPOSAL AREA (TAC NO. L31022)

Dear Mr. Sharkey:

This is in reference to your submittal dated October 21, 1997. In that letter, you requested an alternate schedule for decommissioning of the 10 CFR 20.304 burial area at your facility in order to conduct a hydrogeologic investigation of the area and a site-specific dose assessment. You also requested our review and approval of the proposed work plan for the investigation.

You indicated that within 1.3 years of approval of the work plan by NRC and the Missouri Department of Natural Resources, you will submit a hydrogeological report on the results of the investigation. You also committed to do the following:

1. Within one year of submission of the hydrogeological report, submit a report that demonstrates that the dose to future residents is less than 25 mrem/year;
 2. Within six months of submission of the hydrogeological report, begin the process to authorize restricted release of the area; or
 3. Within one year of submission of the hydrogeological report, submit a remediation plan to reduce residual levels to allow for a future resident dose of less than 25 mrem/yr.
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The NRC staff expects that if you choose Option 1, the report submitted to the NRC shall be in accordance with the requirements of 10 CFR 70.38(j) to demonstrate compliance with the unrestricted release criteria of 10 CFR 20.1402. If Option 2 is chosen, the staff expects to receive a decommissioning plan in accordance with 10 CFR 20.1403(d) within six months of submission of the hydrogeological report. In addition, if Option 3 is chosen, the staff expects that the "remediation plan" will meet the requirements for a decommissioning plan in accordance with 10 CFR 70.38(g).

NRC



The staff has reviewed your submittal and has determined, based on the above expectations, that the requested alternate schedule for decommissioning and submittal of a decommissioning plan is necessary to the effective conduct of decommissioning operations and presents no undue risk from radiation to the public and is otherwise in the public interest. Therefore, pursuant to 10 CFR 70.38(f) and (g)(2), your request is granted.

Note also that our consideration of any appropriate follow-up action regarding your compliance with the Decommissioning Timeliness Rule, as discussed in our September 25, 1997, letter to you, is separate from and unaffected by this approval.

The hydrogeologic investigation work plan is currently under review by the staff. We acknowledge your request for our comments by January 23, 1998. However, based on our projection of current work schedules, we do not anticipate completing our review by that time. In future discussions, we will be able to communicate projected schedules. In the interim, the staff expects you to continue monitoring the burial area to detect radionuclide and chemical migration as specified in your license.

If you have any questions, please contact Sean Soong, the NRC Project Manager for your facility, at (301) 415-8155.

Sincerely,

/s/

Michael F. Weber, Chief
Licensing Branch
Division of Fuel Cycle Safety
and Safeguards, NMSS

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License SNM-33

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