MEMORANDUM TO: Docket file 50-146
Saxton Nuclear Experimental Corporation Facility

DATE: October 4, 2005

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SUBJECT: U. S. Environmental Protection Agency Consultation

In a Memorandum of Understanding with EPA dated October 9, 2002, regarding the decommissioning of NRC licensed sites, the NRC agreed to consult with EPA if the planned level of residual radioactive soil concentrations exceeded the concentrations for specific radionuclides listed in Table 1 attached to the MOU. The NRC approved a License Termination Plan for the Saxton Nuclear Experimental Corporation Facility (SNEC) that included concentrations for Cs-137 (6.6 pCi/gm) and Eu-152 (10.1 pCi/gm) that exceeded Table 1 values (Cs-137 at 6.0 pCi/gm and Eu-152 at 4 pCi/gm).

A review of the Final Status Survey Reports filed by the licensee indicates that the actual residual concentrations were much lower than the LTP authorized. This was attributed to the following factors:

- the licensee consistently remediated contaminated soil beyond the requirements
-the concentration limit was reduced by 75% in every survey design package
- additional reductions to the limits were made to account fo hard-to-detect and delisted radionuclides
- the most conservative value for the residual activity from various dose modeling scenarios using the RESRAD program were always selected
- the licensee committed to the local Citizen Task Force to implement the EPA limit of 4 millirem per year for ground waters (NRC limit is 25 millirem per year)

In summary, no instances of residual soil activity exceeding the MOU trigger value were noted, there fore, an EPA consultation is not required for this facility.