

June 30, 2015

Ms. Gay Fussell, Deputy Director
Hematite Decommissioning Project
Westinghouse Electric Company
3300 State Road P
Festus, MO 63028

SUBJECT: NRC REVIEW OF WESTINGHOUSE HEMATITE TECHNICAL REPORT
HDP-RPT-FSS-202, SURVEY AREA RELEASE RECORD FOR LAND SURVEY
AREA 10, SURVEY UNITS 01 AND 02 (LSA 10-01 AND LSA 10-02)

Dear Ms. Fussell:

By letter dated May 29, 2015, Westinghouse Electric Corporation, LLC (WEC) submitted to the U.S. Nuclear Regulatory Commission (NRC) for review the Hematite Decommissioning Project (HDP), Technical Report, HDP-RPT-FSS-202, Survey Area Release Record for Land Survey Area 10, Survey Units 01 and 02 (LSA 10-01 and LSA 10-02) ((Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS) Accession No. ML15176A780). The NRC's review of that report has highlighted the need for the NRC and WEC to ensure that there exists no ambiguity as to the NRC's expectations regarding the performance of the Final Status Survey (FSS) at the Hematite site.

Based on the current submittal, attempts by the NRC staff to articulate the NRC's expectations have not been successful. Discussions between NRC staff and WEC representatives indicate that certain key issues associated with WEC's approach to the FSS remain unresolved. Absent an agreement on these unresolved issues, the potential exists for the license termination stage to be reached without agreement as to whether the site may be released for unrestricted use. Under those circumstances, the NRC may not be able to approve a release for unrestricted use. The NRC believes that such a situation can and should be prevented. However, prevention of such a situation necessitates that WEC and the NRC engage each other to address the unresolved issues. Therefore, the NRC is proposing that WEC personnel responsible for the FSS at Hematite meet with NRC staff at NRC Headquarters to discuss how these issues may be resolved. The NRC further proposes that this meeting occur during the July 14-17, 2015 timeframe.

The NRC recommends that the following information be transmitted to the NRC at least a week prior to any meeting held during the July 14-17, 2015 meeting timeframe:

- Any and all survey units which WEC believes has undergone FSS and has received NRC's approval for unrestricted release (please also identify the NRC document(s) that WEC believes provide such approvals);
- FSS issues, concerns, protocols, approaches, etc., which remain in dispute with the NRC and which could impact the ability of the NRC to approve a release for unrestricted use; and
- Actions moving forward which WEC believes may enhance and expedite license termination.

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The NRC has identified the following issues regarding the Hematite FSS program and procedures to date:

- FSS Procedures

Region III received the updated FSS procedures on June 22, 2015. These procedures have changed since the previous NRC review, which occurred in the January-February 2015 timeframe as part of the inspection documented in IR070-00036/2015-001. NRC staff has not yet reviewed these procedures to determine if all procedures have been provided and if they are technically acceptable. These procedures are complex and will take a minimum of a month for the completion of regional review.

- Information Follow up Items (IFI's) in IR070-00036/2015-001

WEC has not adequately addressed the following items identified during inspections:

- Assurance of identification of all burial pits and subsurface residual radioactivity;
- Inclusion of sidewalls into MARSSIM survey; and
- Comparison of DCGL to survey meter field measurements, including the Investigation Action Levels (IALs).

On April 30, 2015, NRC staff provided WEC with three potential options for addressing the sidewall issue. WEC subsequently chose a different option and appears to have incorrectly implemented their own criteria in HDP-RPT-FSS-202.

- HDP-RPT-FSS-202, "Survey Area Release Record for Land Survey Area 10, Survey Units 01 and 02" (FSSR Template)

The NRC staff communicated to WEC on June 11, 2015 that this report was unacceptable for review and was going to be rejected. In addition to the major issues identified above, the NRC also identified other potential technical issues of concern when reviewing this report. For example, this report did not address or provide:

- The justification for MDC_{scan} values needed to allow for full technical review or need to switch assumptions used to calculate MDC_{scan} to those provided in NUREG-1507.
- A description of all remediation activities which occur after the initiation of FSS and justification that the remediation activities do not impact the FSS. Field logs indicated that remediation occurred after FSS gamma walkover surveys, but no discussion of this topic was provided in the document.
- The final demonstration of compliance with the dose criteria. It would be useful for WEC to provide examples of how WEC intends demonstrate compliance with the dose criteria for unrestricted release in the Final Status Survey Final Report (FSSFR) early in the FSS process. For example, the report did not include the following detailed calculations:
 - the final incorporation of the dose from the backfill and ground water into the final demonstration of compliance,
 - the implementation of the three layer (surface, root, and excavation) DCGL approach, and
 - the inclusion of dose from elevated areas.

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- Utilization of Remedial Action Support Survey (RASS) samples in lieu of characterization samples to determine average enrichment that could remain within a survey unit

These issues, and potentially others identified during full technical review of the FSS records could require changes to the FSS and be difficult to resolve after backfilling occurs. Therefore, it would be in WEC's interest to resolve these concerns prior to backfilling.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Please contact Mr. John Hayes if you have any questions concerning the above. He can be reached at (301) 415-5928 or via email at John.Hayes@nrc.gov.

Sincerely,

R/A

Andrew Persinko, Deputy Director
Division of Decommissioning, Uranium Recovery,
and Waste Programs
Office of Nuclear Material Safety
and Safeguards

Docket No.: 70-36
License No.: SNM-33

cc:
Westinghouse – Hematite Service List
Joseph W. Smetanka, Westinghouse

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Sincerely,

R/A

Andrew Persinko, Deputy Director
Division of Decommissioning, Uranium Recovery,
and Waste Programs
Office of Nuclear Material Safety
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cc:
Westinghouse – Hematite Service List
Joseph W. Smetanka, Westinghouse

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DATE	6/24/15	6/30/15	6/30/15	6/26/15	6/29/15

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