



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

October 30, 2018

Dr. Robert Cherry, Radiation Safety Staff Officer  
U.S. Army Installation Management Command  
ATTN: IMSO/301  
Building 2261  
2405 Gun Shed Road  
JBSA Fort Sam Houston, TX 78234-1223

SUBJECT: ISSUANCE OF MATERIALS LICENSE NO. SUC-1593, AMENDMENT NO. 3,  
U.S. ARMY INSTALLATION MANAGEMENT COMMAND

Dear Dr. Cherry:

In a letter (Agencywide Documents Access and Management System (ADAMS) Accession No. ML17158B356) dated June 1, 2017, the U.S. Army Installation Management Command (Army) requested an amendment to Source Materials License No. SUC-1593 pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) 40.44, "Amendment of licenses at request of licensee." The Army requested to replace the three annexes to the programmatic environmental monitoring plan (ERMP) (site-specific ERMPs) with revised final versions, because the Army indicated that Figure 1-2, in each of the three site-specific ERMPs, is incorrect due to the sizing/scaling errors made by the Army. The site-specific ERMPs that the Army proposed be replaced are the:

- "Site-Specific Environmental Radiation Monitoring Plan Fort Polk, Louisiana Annex 11," dated September 2016 (ADAMS Accession No. ML16265A225);
- "Site-Specific Environmental Radiation Monitoring Plan Fort Riley, Kansas Annex 12," dated September 2016 (ADAMS Accession No. ML16265A226); and
- "Site-Specific Environmental Radiation Monitoring Plan Pohakuloa Training Area [PTA], Hawaii Annex 17," dated September 2016 (ADAMS Accession No. ML16265A231)

The Army also requested a license amendment that would allow the Army to make similar future "minor changes" to site-specific ERMPs without the U.S. Nuclear Regulatory Commission (NRC) approval (ADAMS Accession No. ML17158B356).

In a letter dated September 18, 2017 (ADAMS Accession No. ML17226A205), the NRC staff (staff) informed the Army that they completed their acceptance review of the application and found that the request to correct specific figure sizing/scaling errors in the identified site-specific ERMPs contains sufficient information for the staff to begin their detailed technical review. However, the staff determined that the Army's proposal to make similar future "minor changes" to site-specific ERMPs without NRC approval did not contain enough information to accept the request for detailed technical review. Also, in the September 18, 2017, letter, the staff informed the Army that they would continue to process the June 1, 2017, license amendment request, to include the appropriate noticing in the *Federal Register*, without further consideration of the "minor changes" portion of the license amendment request if the Army did not provide a supplement to the amendment request within 30 days for the staff to evaluate.

On October 18, 2017, the Army informed the staff that it would not pursue the minor changes portion of its June 1, 2017 amendment request. In a letter dated November 21, 2017 (ADAMS Accession No. ML17297B156), the staff informed the Army that the NRC will not consider the “minor changes” portion of the Army’s June 1, 2017, amendment application. On December 11, 2017, a notice of an opportunity to request a hearing and to petition for leave to intervene on this licensing proceeding was published in the *Federal Register* (82 FR 58221). No requests were submitted.

On December 15, 2017, the Army submitted supplemental information (ADAMS Accession No. ML18009A456) clarifying how it conducts sediment sample collection. This submittal was a voluntary response to a NRC Petition Review Board’s question about composite sediment sample collection associated with the March 16, 2017, 10 CFR 2.206 petition (ADAMS Accession No. ML17110A308). In a letter (ADAMS Accession No. ML18023A991) dated January 19, 2018, the Army requested that its December 15, 2017, letter be included under License Condition No. 11 for License Amendment No. 3. This portion of License Amendment No. 3 is administrative. An updated *Federal Register* notice (FRN) was not required for this administrative change.

Also, the staff requested that the License Radiation Safety Officer (RSO) contact information (February 24, 2010 letter, ADAMS Accession No. ML12095035) be incorporated by reference in the license consistent with NUREG-1556, Vol. 7, Rev.1 “Consolidated Guidance About Material Licenses: Program Specific Guidance About Academic, Research and Development, and Other Licenses of Limited Scope, Including Electron Capture Devices and X-Ray Fluorescence Analyzers” and past practice for material licensees managed by regional staff. In addition, in a letter dated September 5, 2018 (ADAMS Accession No. ML18262A211), the Army informed the staff of the appointment of a new Army Installation Management Command Commander and therefore the new licensing official for Source Materials License No. SUC-1593. This portion of License Amendment No. 3 is administrative. Similarly, an updated FRN was not required for these administrative changes.

Because the staff considered the amendment an action related to the possession and management of DU military munitions, change in licensing official and License RSO, and administrative changes, the proceeding was considered to fall within the Categorical Exclusions under 10 CFR 51.22(c)(14)(xv), 10 CFR 51.22(c)(10)(iv), and 10 CFR 51.22(c)(10)(v), respectively.

Upon completing their review of the Army’s license amendment request and as documented in the Safety Evaluation Report (SER) (ADAMS Accession No. ML18158A324), the staff found that the requested license amendment is in accordance with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), as well as the NRC’s rules and regulations. As required by the Act and the NRC’s rules and regulations in 10 CFR Chapter I, the staff made the appropriate findings which are contained in the staff’s SER. Therefore, the NRC amended Source Materials License No. SUC-1593 and issued Amendment No. 3 to incorporate by reference in License Condition No. 11 the revised final site-specific ERMPs for Fort Polk, Louisiana, Fort Riley, Kansas, and the PTA, HI, and the September 5, 2018, December 15, 2017, February 24, 2010, letters. In addition, License Condition No. 18 was modified to allow three months from the effective date of License Amendment No. 3 for the Army to implement the revised final site-specific ERMPs due to the change in sampling locations. Other changes were made to the license in this proceeding that result in modification of sentences to ensure consistent use of acronyms and initialism or proper formatting or to correct grammatical or typographical errors. The staff confirmed that these changes would not change any

requirements or commitments or add new requirements or commitments to the license. The staff determined that these changes are administrative in nature.

License Amendment No. 3. (ADAMS Accession No. ML18242A352) is effective as of the date of issuance. Enclosed, are copies of the SER and License Amendment No. 3.

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 NRC's ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions, please contact me at 301-415-6631 by e-mail at [Stephen.Koenick@nrc.gov](mailto:Stephen.Koenick@nrc.gov).

Sincerely,

*//RA//*

Stephen Koenick, Chief  
Low-Level Waste and Projects Branch  
Division of Decommissioning, Uranium Recovery  
and Waste Programs  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 040-09083  
License No. SUC-1593

cc: Dr. Michael Reimer (w/enclosures)

Enclosures:

1. Safety Evaluation Report
2. Source Materials License  
No. SUC-1593, Amendment No. 3

SUBJECT: ISSUANCE OF MATERIALS LICENSE NO. SUC-1593, AMENDMENT NO. 3,  
U.S. ARMY INSTALLATION MANAGEMENT COMMAND **DATE\_October 30, 2018**

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**ADAMS Accession No.:ML18158A323 (Ltr.) ML18158A324 (SER) ML18242A352 (Amend 3)**

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