



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

September 17, 2019

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

FROM: Bob Nelson, Project Manager */RA/*
Low-Level Waste and Projects Branch
Division of Decommissioning, Uranium Recovery
and Waste Programs
Office of Nuclear Material Safety and Safeguards

SUBJECT: SUMMARY OF PUBLIC MEETING TO DISCUSS DRAFT LICENSE
CONDITIONS FOR THE JEFFERSON PROVING GROUND
POSSESSION-ONLY LICENSE AMENDMENT No. 20

DATE OF MEETING: September 16, 2019

MEETING LOCATION: Conference call

PURPOSE:

Discuss the draft license conditions and other issues pertaining to completing the U.S. Nuclear Regulatory Commission's (NRC) review of Jefferson Proving Ground (JPG) application for a possession-only license. License SUB-1435 authorizes JPG to possess 80,000 kilograms of depleted uranium in a restricted area known as the "Depleted Uranium Impact Area" at the former Army firing range. JPG is requesting NRC approval to amend License SUB-1435 for possession-only with an exemption to the decommissioning timeliness rule and extend the term of the renewed license to 20 years.

ATTENDEES:

NRC – Stephen Koenick, Priya Yadav, Ian Irvin, Christianne Ridge, and Bob Nelson.

U.S. Army (JPG) – Robert Cherry, Joe Germano, Joel Himsl, Brook Evans, and Candice Freeman.

Public – Paul Cloud.

CONTACT: Bob Nelson, NMSS/DUWP
(301) 415-0707

SUMMARY:

The NRC staff opened the meeting and discussed the possession-only license amendment request (ADAMS Accession No. ML17004A186), SECY-19-0001 (ADAMS Accession No. ML18177A053) in consideration of the exemption request, issuance of the EA/FONSI (ADAMS Accession No. ML19169A022), and the meeting handouts. The handouts were the public meeting announcement, the draft license amendment, a description of license condition changes, and a email from the U.S. Army providing an alternative to the license condition regarding the Memorandum of Agreement. The NRC summarized the draft license conditions (the draft license is available in the NRC's Agencywide Documents Access and Management System [ADAMS] at Accession No. ML19254D661) to the U.S. Army (JPG). The NRC staff explained that it plans to revise JPG's license, SUB-1435 with the license amendment No. 20. The NRC staff then summarized each draft license condition contained in the draft license and permitted JPG to ask clarification questions about the NRC's expectations, when needed.

For draft License Item 9, the NRC staff explained that the authorized use will be changed from for possession only for decommissioning to possession-only and that "possession only" means residual radioactive materials exist in place and administrative controls are maintained to minimize exposure to the public and the environment.

For draft License Condition 10, the NRC staff explained the wording change is for future decommissioning.

For draft License Condition 14, the NRC staff explained that the licensee is granted an exemption to the NRC's decommissioning timeliness rule and that this exemption is for a 20-year period. The U.S. Army must determine if any technological developments have made decommissioning of the site feasible prior to requesting another exemption and that one year prior to the end of the 20-year period the U.S. Army must submit a timely license renewal application.

For draft License Condition 15, the NRC staff explained that ground water and surface water samples will be collected semi-annually and analyzed for uranium content. Additionally, license condition 12 ties down JPG's Environmental Radiation Monitoring Plan for the DU Impact Area and the license amendment request (December 21, 2016) and the U.S. Army's response (May 25, 2018) to NRC's Request for Additional Information.

For draft License Condition 16, the NRC staff had proposed wording stating the U.S. Army was required to maintain a current Memorandum of Agreement (MOA) with the U.S. Fish and Wildlife Service and the U.S. Air Force. The U.S. Army submitted an alternative to the condition stating the Army would be responsible even without the MOA. NRC explained that the clarification language the Army emailed to NRC was appropriate in that the revised condition ensures the responsibility relies solely with the licensee. The condition would read "Maintenance of the site conditions, fencing, postings, and security are the responsibility of the U.S. Army. However, U.S. Fish and Wildlife Service and the U.S. Air Force may meet these requirements on behalf of the U.S. Army in accordance with current Memorandums of Agreement (MOA), which the U.S. Army will provide to the NRC."

The remainder of this summary focuses on the discussion for questions that arose for specific draft license conditions. If no questions were asked about a specific draft license condition, it is not discussed further within this meeting summary.

For draft License Condition 11, the NRC staff explained that naming Robert Cherry, Ph.D. on the license as the Radiation Safety Officer (RSO) and adding the address of U.S. Army Installation Management Command at Fort Sam Houston in Texas is in keeping with NRC current licensing best practices. This was agreed to by the U.S. Army for JPG with naming the RSO on the license. The draft license condition also continues to list the education and training requirements for the RSO. The U.S. Army asked if they would have to send in a signed Form 313 when they need to change the RSO in the future or if a letter naming the new RSO would suffice. NRC responded that a Form 313 would not be required to change the RSO, rather the U.S. Army could submit a notification letter including the required training and experience documentation to support the RSO change that would be placed on the docket. Then the NRC would issue an administrative amendment to the license documenting the new RSO.

The NRC staff also mentioned potentially adding an item 11.D to the license that would identify the license certifying official by a specific position. This recommendation would remove the administrative burden of the Army submitting a signed Form 313 request to change the certifying official every time there was a change in the position (e.g., change in command). The Army offered that the certifying official for the license is the garrison commander of Rock Island Arsenal. A draft license condition was developed during the call to state:

11.D. The certifying official on this license is the garrison commander of Rock Island Arsenal. The U.S. Army shall notify the NRC within 30 days of any change in the name of the garrison commander by letter to Document Control Desk, Deputy Director, Office of Nuclear Materials Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001.

At the close of the meeting, U.S. Army and NRC staff identified the following specific actions:

- The Army and NRC staff agreed to include a license condition 11D on the certifying official. NRC will also delete draft license condition 12I with the letter of the last certifying official.
- U.S. Army asked if they were granted the extended possession-only license, would they still need to submit the decommissioning funding plan every three years. NRC staff responded that they would confirm whether they would still need to submit the decommissioning funding plan.
- Following the meeting, the NRC staff confirms that the Army is required pursuant to 10 CFR 40.36(d)(2) to submit the decommissioning funding plan at the time of license renewal and at intervals not to exceed 3 years.

Docket No.: 40-08838
License No.: SUB-1435

SUBJECT: SUMMARY OF MEETING TO DISCUSS DRAFT LICENSE CONDITIONS
FOR THE JEFFERSON PROVING GROUND POSSESSION-ONLY
LICENSE AMENDMENT **DATE: September 17, 2019**

DISTRIBUTION: NMSS r/f DUWP r/f PMNS NRC Attendees
PYadav, DUWP ARidge, DUWP

ADAMS Accession Number: ML19261B626

***via email**

OFFICE	DUWP/LLWPB	DUWP/RTAB	OGC	DUWP/LLWPB
NAME	BNelson	CHolston	Ilrvin*	SKoenick*
DATE	9/17/19	9/17/19	9/17/19	9/17/19

OFFICIAL RECORD COPY