

October 18, 1996

MEMORANDUM TO: David L. Morrison, Director
Office of Nuclear Regulatory Research

FROM: Carl J. Paperiello, Director (Original signed by M. R. Knapp for:)
Office of Nuclear Material Safety
and Safeguards

SUBJECT: NMSS CONCURRENCE ON A RULEMAKING PLAN FOR AMENDING THE
REQUIREMENTS FOR ENVIRONMENTAL REPORTS FROM URANIUM RECOVERY
LICENSEES AT LICENSE TERMINATION - 10 CFR 51.60

My staff has reviewed the subject rulemaking plan. Attached is a copy of page 5 of the plan with minor clarifying revisions. I concur with the rulemaking plan revised as shown in the attachment. If you have any questions, please contact the cognizant Nuclear Material Safety and Safeguards staff member, Myron Fliegel at 415-6629.

Attachment: Revised page 5.

cc: W. Olmstead, OGC
R. Bangart, OSP

proofed/CJ 10/10/96

CONTACT: M. Fliegel, NMSS/DWM
415-6629

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*see previous concurrence

OFC	URB*		URB*		DWM		NMSS		NMSS
NAME	MFliegel		JHolonich		JGreeves		MKnapp		CPaperiello
DATE	10/8/96		10/8/96		10/11/96		10/18/96		10/19/96

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TAB 5 placed

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NAME	MFliegel		JHofmich		JGreeves		MKnapp		CPaperiello	
DATE	10/16/96	E	10/16/96		10/ /96		10/ /96		10/ /96	

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For sites where tailings remain,

groundwater restoration; decommissioning of a nonconventional plant involves plant dismantling, wellfield restoration, and groundwater restoration. These activities are carried out according to plans and cost estimates submitted to and approved by NRC or Agreement States. Decommissioning and reclamation are followed by transfer of ownership of the site to the United States Government or the State where the site is located, who assume responsibility for long-term surveillance of the site. These actions must be completed before the NRC license may be terminated. A number of conventional facilities currently are in the process of decommissioning and reclamation. Several licensees have dismantled their mills and are engaged in reclamation of tailings and/or groundwater restoration. Some nonconventional facilities, which typically decommission portions of their wellfields while retaining other portions in production, also are decommissioning.

NRC staff estimate that over the next decade as many as 12 conventional facilities will complete decommissioning. Five mills are expected to complete decommissioning within the next five years, and one of them is expected to complete decommissioning in the relatively near future.

review and prepared a
NRC has had limited experience with termination of licenses for uranium recovery facilities and the preparation of (b)(3) type environmental reports. To date, only one facility, Edgemont, has reached the point of license termination. Edgemont ceased operation in the early 1970's, and the original mill and tailings site was decommissioned. The licensee, the Tennessee Valley Authority, conducted cleanup activities at the site from 1984 to 1989, and carried out groundwater monitoring from 1986 to 1996, and submitted semiannual reports to NRC. NRC conducted its Completion Review Report, determining that reclamation and decommissioning had been acceptably completed, in December 1995, and in January 1996 notified the TVA of its approval of completion of the site reclamation and decommissioning. TVA then applied to terminate its license and transfer ownership of the site to DOE. In support, TVA submitted a three-page Environmental Report Supplement on April 30, 1996, which summarized the steps that had been taken with respect to reclamation, decommissioning, and monitoring. This report provided a short background concerning the site; referenced the Decommissioning Plan Environmental Report submitted to NRC in February 1979 and approved by NRC in June of 1982; and summarized groundwater monitoring and reclamation activities at the mill site and tailings disposal site associated with the facility. The Environmental Report Supplement also referenced the NRC's Completion Review Report, and provided a short concluding paragraph noting that there are no apparent environmental problems at the site, the environmental radiological conditions were being met, and no significant environmental changes have occurred since completion of decommissioning. On June 27, 1996, NRC terminated TVA's license and placed the site under the custody and long-term care of DOE.

As a means of solving this problem, NRC considered the preparation of a Standard Format and Content Guide for Environmental Reports supporting license termination. The staff believes that very little could be required in such a Guide, because at the time of license termination all of the significant environmental issues will have already been addressed by the series of reports and staff decisions that make up the decommissioning and reclamation process. Although one approach to resolving the regulatory problem could be to develop