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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS  
RELATED TO AMENDMENT NO. 4 TO MATERIALS LICENSE NO. SNM-1999

KERR-McGEE CORPORATION

CUSHING REFINERY SITE

DOCKET NO. 70-3073

1.0 INTRODUCTION

The Kerr-McGee Corporation (the licensee) in its letter dated June 3, 1993, submitted information delineating boundaries of radioactive materials areas, restricted areas, and areas outside of restricted areas where licensed materials exist. In accordance with Condition 11.D of Materials License SNM-1999, the licensee submitted this information as a license amendment request.

2.0 BACKGROUND

On April 6, 1993, U.S. Nuclear Regulatory Commission (NRC) issued Materials License SNM-1999 authorizing possession of contaminated soil, sludge, sediment, trash, building rubble, and any other contaminated material, at the licensee's Cushing site. Condition 11.D of Materials License SNM-1999, states that "Kerr-McGee shall submit, by license amendment request, before June 1, 1993, the proposed boundaries of all radioactive areas as defined in 10 CFR 20.3, and areas outside of restricted areas, where licensed materials exist which must be secured from unauthorized removal per 10 CFR 20.207." The licensee by letter June 3, 1993, provided the required information.

3.0 EVALUATION

The licensee's June 3, 1993, letter submitted the required information to satisfy the requirements of Condition 11.D of Materials License SNM-1999. Since the terms of Condition 11.D have been met, the staff believes that maintaining this condition is unnecessary and it should be deleted.

Further, the staff has determined that amending the Cushing license to include this type of information was inappropriate, because if the licensee had discovered a new area of contamination the licensee would have been in non-compliance with its license. The licensee would then have had to submit a request to amend its license to reflect new condition of the Cushing site. In addition, in accordance with the requirements of 10 CFR 70.25(g), the licensee is required to keep records of information important to the safe and effective decommissioning of the facility in an identified location until the license is terminated by the Commission. Thus, this information is available to the NRC without requiring it to be included in the license.

#### 4.0 STATE CONSULTATION

The Oklahoma State official was notified of the proposed issuance of the amendment. The State official had no comments.

#### 5.0 ENVIRONMENTAL CONSIDERATION

The amendment deletes an administrative requirement to submit information delineating boundaries of radioactive materials areas, restricted areas, and areas outside of restricted areas where licensed materials exists. Accordingly, the amendment meets the criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(c)(10), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

#### 6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: S. Brown

Date: October 10, 1996

*Michael F. Wilson* 10/30/96