

February 20, 1997

MEMORANDUM TO: Timothy C. Johnson, Section Leader
Facilities Decommissioning Section
Low-Level Waste and Decommissioning
Projects Branch
Division of Waste Management, NMSS

FROM: Lawrence G. Bell, Section Leader [Original signed by]
Materials Decommissioning Section
Low-Level Waste and Decommissioning
Projects Branch
Division of Waste Management, NMSS

SUBJECT: COMMENTS ON MDNR FINANCIAL ASSURANCE SUBMITTAL

I am requesting review of the attached Michigan Department of Natural Resources (MDNR) financial assurance mechanism that was submitted to cover the cost of decommissioning the MDNR-owned portion of the Hartley & Hartley Landfill. The original copy of the submittal was provided to Lou Bykoski by Jack Parrott of my staff for safekeeping.

Attachment: As stated

Contact: Jack D. Parrott
415-6700

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DEPARTMENT OF NATURAL RESOURCES

STEVENS T MASON BUILDING, PO BOX 30026, LANSING MI 48909-7526

K. L. COOL, Director

February 5, 1997

Mr. Michael F. Weber, Chief
Low-Level Waste and Decommissioning Projects Branch
Division of Waste Management
Office of Nuclear Material Safety and Safeguards
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Mr. Weber:

In response to your August 14, 1996 letter outlining the modifications required in the Michigan Department of Natural Resource's (MDNR) Statement of Intent for the MDNR owned portion of the Hartley and Hartley Landfill (Docket Number 40-9015), attached is our revised statement.

The MDNR is currently in the process of revising our license application and decommissioning funding plan in response to your staff's comments dated October 17, 1996. Our target date for submittal for all revised application deliverables is February 28, 1997, per verbal and e-mail discussions between Jack Parrott of your staff and Denise Gruben of this Agency.

If you have any questions or concerns, please feel free to contact Denise Gruben at 517-335-4036.

Sincerely,

Kelli Sobel
Administrative Services Deputy
517-373-2425

cc: Mr. Jack Parrott, NRC
Mr. Christopher D. Dobyns, AG
Mr. K. L. Cool, Director, MDNR
Mr. Dennis J. Hall, MDNR
Ms. Denise Gruben, MDNR

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DEPARTMENT OF NATURAL RESOURCES

STEVENS T MASON BUILDING, PO BOX 30028, LANSING MI 48909-7528

K. L. COOL, Director

Statement of Intent to Accompany Amended


License Application for the MDNR owned portion

of the Hartley and Hartley Landfill

I, K. L. Cool, was appointed Director of the Michigan Department of Natural Resources in March of 1996. In my capacity as Director I am the public licensee applicant for a license with respect to the MDNR Owned Portion of the Hartley and Hartley Landfill, located in Kawkawlin Township, Bay County, Michigan which was acquired by the agency in 1973 (Docket Number 40-9015.) In my current capacity as the Director of the Department of Natural Resources, I possess the authority of the State of Michigan to sign this Statement of Intent.

This Statement of Intent is submitted to the Nuclear Regulatory Commission together with an amended license application, and estimates of the costs for both the pre-decommissioning site characterization and decommissioning. The Michigan Department of Natural Resources' cost estimate to conduct the site characterization activities leading to the development and preparation of the Decontamination and Decommissioning (D&D) plan is in the amount of \$2.5 million. The cost of the implementation of the final D&D plan is estimated at this time to be 10 million dollars.

Under the Constitution of the State of Michigan, the operation of the Michigan Department of Natural Resources is supported by the General Fund of the State of Michigan, which can only be constitutionally appropriated by the Michigan Legislature. The current Legislature has been informed of the potential decommissioning requirements, costs and the eventual need for this funding. The Michigan Legislature understands that this Statement of Intent is not a binding promise on future Legislatures for funding. The funds for decommissioning costs will be requested by the Michigan Department of Natural Resources from the Michigan Legislature, in an amount up to 10 million dollars, sufficiently in advance of decommissioning for the purpose of preventing delay of the required activities.


K. L. Cool, Director

Date 2/3/97