



## Department of Energy

Washington, DC 20585

November 23, 2020

U.S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Deputy Director  
Mail Stop T8-F5  
Washington, DC 20555-0001

Subject: U.S. Department of Energy Office of Legacy Management Draft *Long-Term Surveillance Plan for the Durita, Colorado, UMTRCA Title II Disposal Site, Montrose County, Colorado*

To Whom It May Concern:

Enclosed for U.S. Nuclear Regulatory Commission (NRC) review is the draft *Long-Term Surveillance Plan for the Durita, Colorado, UMTRCA Title II Disposal Site, Montrose County, Colorado*. This Long-Term Surveillance Plan (LTSP) captures information provided in site documents and demonstrates how the U.S. Department of Energy (DOE), as the future long-term custodian of the Durita, Colorado, Disposal Site, will fulfill the requirements of the general license, in Title 10 *Code of Federal Regulations* Section 40.28. In accordance with these regulations, this draft LTSP is submitted to NRC as one of the final steps in transitioning the site to DOE for custody and long-term care.

The draft LTSP includes “placeholders” left in Appendix A for the following site real property instruments (in process): (1) the warranty deed for the licensee’s fee land at the site and (2) the Public Land Order Notice of Permanent Withdrawal for the federally owned land within the site’s long-term care boundary. The permanent withdrawal of the U.S. Bureau of Land Management (BLM)–managed federal land within the long-term surveillance boundary (LTSB) will be completed post-site transition. DOE has been proactive and has initiated the permanent withdrawal of the BLM-managed federal land. A right-of-way (ROW) grant is currently in place until June 20, 2025, to provide protection from third-party entry on those federal lands that lie within the original LTSB. The proposed LTSB was subsequently expanded in the current LTSP draft to ensure adequate area around disposal structures. DOE has completed a search of BLM’s LR2000 database. The search did not find any third-party incumbrances within those federal lands, and only the specific licensee’s BLM-issued ROW was noted.

The long-term surveillance and maintenance (LTS&M) program presented in the draft LTSP entails performing the following LTS&M activities at the site: annual site inspection and reporting, and minor maintenance (e.g., periodic replacement of warning signs, fence repair). Once NRC concurrence on the LTS&M program is received, DOE will finalize its estimated annual cost for conducting these LTS&M activities and provide it to NRC for consideration in its “sole” determination of the long-term surveillance charge (in accordance with NRC’s regulatory issue summary [RIS] 2011-11). DOE will include its annual LTS&M cost estimate with the preliminary final LTSP when it is submitted to NRC for final acceptance.



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Please contact me at (202) 617-1858 or [ken.kreie@lm.doe.gov](mailto:ken.kreie@lm.doe.gov), if you have any questions.  
Please address any correspondence to:

U.S. Department of Energy  
Office of Legacy Management  
2597 Legacy Way  
Grand Junction, CO 81503

Sincerely,

A handwritten signature in black ink that reads "Ken Kreie". The signature is written in a cursive, slightly slanted style.

Digitally signed by  
Kenneth L. Kreie  
Date: 2020.11.23  
13:28:59 -07'00'

Ken Kreie  
Durita Site Manager

Enclosure

cc w/enclosure via email:  
Dominick Orlando, NRC  
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File: E/20/1125 F/20/994