



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

May 18, 2022

Bill Halliburton
Cimarron Environmental
Response Trust
C/o Environmental
Properties Management, LLC
9400 Ward Parkway
Kansas City, MO 64114

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION RESPONSE TO CIMARRON ENVIRONMENTAL RESPONSE TRUST'S LETTER DATED MARCH 29, 2022, REGARDING LACK OF CLARIFICATION OF THE U.S. NUCLEAR REGULATORY COMMISSION'S COMMENTS FROM PREAPPLICATION AUDIT JANUARY 31, 2022

Dear Mr. Halliburton:

The U.S. Nuclear Regulatory Commission (NRC) staff reviewed the March 29, 2022, letter from Environmental Properties Management (EPM), the Trustee for the Cimarron Environmental Response Trust (CERT), (Agencywide Documents Access and Management System (ADAMS) Accession No. ML22088A133). In this letter, EPM requested for clarification on the NRC's January 31, 2022, comments from the pre-submission audit of the revised Decommissioning Plan (DP). The clarification was requested to enable EPM to complete the revisions and submit the DP to NRC.

The NRC staff is providing detailed responses in two attached enclosures. In brief, while an extensive revision to the DP is not needed, the responses include some revisions to the text. These revisions may reduce the need for a specific request for additional information (RAI) during the detailed technical review. If those revisions are consistent with EPM's intent, then it is recommended that the DP include the minor revisions to facilitate the subsequent review.

In the enclosures, the NRC staff clarified a response not directly related to the pre-submission audit of the DP. During the public meeting to discuss its calculations on the remediation timeframe, the NRC staff asked the CERT about the availability of data regarding burial pit material leaching. This data would be useful in better constraining the variables for the calculations. The CERT responded that no such specific data were available but, based on the historical monitoring program, suggested what would be a reasonable value.

The NRC staff's discussion on its calculations was not intended to elicit extensive work on the part of the licensee. Based on our recent conversations, it is our understanding that CERT is planning to address staff's calculations on the remediation timeframe by adding another injection trench between the two proposed extraction trenches. Staff agrees that such a revision may achieve the desired remediation timeframe; however, revisions to the DP should be limited to the text and figures within the DP and not an extensive revision. It is our understanding that EPM is entertaining work that consists of extensive revisions to the construction drawings and

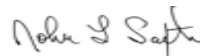
revising its numerical model. It is the NRC staff's recommendation not to perform those extensive revisions at this time. Staff will accept a revised DP with limited revisions even if the justification for the revisions was solely to address staff's initial calculations

Finally, the NRC staff is in the process of documenting its calculations. The model simulations that were used for the calculations will be publicly available after the report goes through the NRC review process. The NRC staff's recommendation is not to delay submittal of the DP because the calculations are considered preliminary at this time. It is anticipated that if RAIs are needed to address this issue, the report and supporting information would be available to be used and evaluated as part of an RAI response, as needed.

In accordance with Title 10 of the *Code of Federal Regulations* Part 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's ADAMS. ADAMS is accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions, please contact me at 301-415-6103 or via email at James.Smith@nrc.gov.

Sincerely,



Saxton, John signing on behalf
of Smith, James
on 05/18/22

James A. Smith, Senior Project Manager
Uranium Recovery and Materials
Decommissioning Branch
Division of Decommissioning, Uranium Recovery
and Waste Programs
Office of Nuclear Material Safety
and Safeguards

Docket No. 70-0925
License SNM-928

Enclosures:

1. Response to the CERT's request for Clarification on Groundwater Modeling
2. Response to the CERT's request for Clarification on Soil Monitoring

cc: Cimarron Site Listserv

Letter Response to the March 29, 2022, letter from Environmental Properties Management (EPM), the Trustee for the Cimarron DATE May 18, 2022

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