



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

December 8, 1999

Mr. Richard A. Ratliff, P.E., Chief
Bureau of Radiation Control
Texas Department of Health
1100 West 49th Street
Austin, Texas 78756-3189

Dear Mr. Ratliff:

We have completed our review of your January 20, April 9, June 18, August 12, and October 22, 1999 submittals regarding the proposed termination of the Radioactive Material License No. L02537 issued to Westinghouse Electric Corporation, an in-situ leach uranium recovery facility located near Bruni, Texas.

Closure of an in-situ leach uranium recovery site requires a demonstration that the groundwater has been adequately restored, all the wells have been closed and plugged according to the appropriate Texas statute, disposal or transfer of radioactive material is documented, and radiation surveys and confirmatory soil samples indicate that the site meets unrestricted release requirements.

The information you have submitted indicates that the groundwater has been restored by the licensee to the satisfaction of the Texas Water Commission (TWC). All the wells have been plugged and abandoned by the licensee as authorized by the TWC. Based on the Texas Department of Health's (TDH) review of the license termination, you reported that proper disposition of radioactive materials took place at the site and there has been no on-site disposal of radioactive materials; therefore, there is no need to transfer ownership of land to the State or the Federal government.

The TDH has reviewed the results of radiation surveys submitted by the licensee and performed confirmatory surveys for the subject site. Post-cleanup surveys conducted by TDH indicate that the site has been decontaminated to a radiation level that meets the State criteria. According to the TDH report, the analysis of soil samples indicates that the average radium-226 and uranium concentrations were below or equal to the release criteria of 5 pCi/g and 30 pCi/g, respectively. The statements made in the submittals indicate that the TDH has adequately determined that all license obligations have been met by the licensee.

The most recent review of the Texas Agreement State Program, conducted under the Integrated Materials Performance Evaluation Program in June 1997, indicates that the Texas program is adequate to protect public health and safety, and compatible with the Nuclear Regulatory Commission's program. This finding is consistent with the previous Texas program

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evaluations. Based on our review of the above information and in accordance with 10 CFR 150.15a(a), we concur that all applicable standards and requirements for the protection of the public health, safety and the environment have been met for the termination of the Radioactive Material License No. L02537.

If we can be of further assistance in this regard, please contact me at (301) 415-3340 or Kevin Hsueh at (301) 415-2598.

Sincerely,

Original Signed By:
PAUL H. LOHAUS

Paul H. Lohaus, Director
Office of State Programs

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DCD (SP08)
PDR (YES✓)

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*See previous concurrence.

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Richard A. Ratliff, P.E., Chief

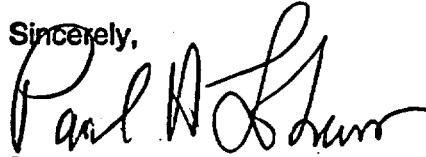
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evaluations. Based on our review of the above information and in accordance with 10 CFR 150.15a(a), we concur that all applicable standards and requirements for the protection of the public health, safety and the environment have been met for the termination of the Radioactive Material License No. L02537.

If we can be of further assistance in this regard, please contact me at (301) 415-3340 or Kevin Hsueh at (301) 415-2598.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul H. Lohaus". The signature is written in a cursive style with a large initial "P" and "L".

Paul H. Lohaus, Director
Office of State Programs

Richard A. Ratliff, P.E., Chief

- 2 -

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If we can be of further assistance in this regard, please contact me at (301) 415-3340 or Kevin Hsueh at (301) 415-2598.

Sincerely,

Paul H. Lohaus, Director
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Richard A. Ratliff, P.E., Chief

- 2 -

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If we can be of further assistance in this regard, please contact me at (301) 415-3340 or Kevin Hsueh at (301) 415-2598.

Sincerely,

Paul H. Lohaus, Director
Office of State Programs

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Texas Department of Health

William R. Archer III, M.D.
Commissioner

1100 West 49th Street
Austin, Texas 78756-3189
(512) 458-7111

Patti J. Patterson, M.D., M.P.H.
Executive Deputy Commissioner

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(512) 834-6688

January 20, 1999

United States Nuclear Regulatory Commission
ATTN: Paul Lohaus, Deputy Director
Office of State Programs
Mail Stop O3H20
Washington, D.C. 20555

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OSP

Dear Mr. Lohaus:

Item 1

The Texas Department of Health (TDH) has received a request to terminate Radioactive Material License No. L02537, issued to Westinghouse Electric Corporation, located near Bruni, Texas.

This site was operated from 1974 to 1981 when production operations were ceased. The license authorized in situ leach mining and processing.

From 1981 until 1991 groundwater restoration was performed along with limited surface reclamation. The Texas Water Commission authorized ceasing groundwater restoration and final plugging of all wells in April 1991 (Enclosure 1). Following plugging of all wells, full scale surface reclamation and decommissioning began.

During surface reclamation and decommissioning all material and equipment was surveyed for radioactive contamination. Any material and/or equipment which was contaminated was disposed of by utilizing one of the following methods:

- transfer to another licensed mine site;
- decontamination and release for unrestricted use; or
- disposal at a licensed byproduct disposal facility.

Proper disposal of all material and/or equipment was documented by the licensee.

Surveys to confirm the effectiveness of reclamation and decommissioning activities were performed by direct and/or swipe surveys of equipment and structures to be turned over to the landowner, direct survey of land by walking two meters apart across the wellfield pattern and/or defining a ten meter by ten meter area around hot spots and taking five samples from the area. The licensee subsequently requested termination of their license (Enclosure 2).

Reclamation and decommissioning activities were completed in 1993.

Item 4.

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Paul Lohaus
January 20, 1999
Page 2

Updated version of this paragraph is provided in the following letter; 260m 5 11/18/99

In August 1993, TDH personnel performed confirmatory surveys of the facility. The surveys were performed using one-by-one sodium iodide probes and Ludlum 14C survey meters. Two times background was used as an allowable limit (Regulatory Guide 5.10, Guidelines for Conducting Close Out Surveys of Open Lands and Requesting Release for Unrestricted Use). The survey was performed by walking 10 meters apart moving across the wellfield pattern. Background readings were approximately 1200 cpm on all meters. Four areas had readings which exceeded two times background. (Soil samples were taken from a ten meter by ten meter area around the four areas that exceeded two times background. Analysis of all samples indicated that average radium and uranium concentrations were below the release criteria of 5 pCi/g and 30 pCi/g, respectively.


On-site disposal of solid radioactive material or byproduct material was not authorized at this facility, thus there is no land to be transferred to the State of Texas or the Federal Government.

As a result of these findings, we are proposing to terminate this license (Enclosure 3). All data supporting our proposal is kept on file, and available, at TDH should it be necessary for reference at a future date. Please advise if the U.S. Nuclear Regulatory Commission wishes additional material or information in order to make a determination regarding concurrence with our proposal to terminate this license. If additional information is required, please contact Mr. Eugene Forrer of my staff.

This letter is a resubmittal of a request sent in September of 1998.

As maintaining this site places an undue economic burden and hardship on the licensee we request expeditious processing of this request.

Sincerely,



Richard A. Ratliff, P.E., Chief
Bureau of Radiation Control

Enclosures