



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, DC 20350-2000

5090

Ser N455/14U132792

20 Oct 14

Ms. Orysia Masnyk Bailey
U.S. Nuclear Regulatory Commission
Region I, DNMS
2100 Renaissance Blvd, Suite 100
King of Prussia, PA 19406-2713

45-23645-01NA
030-29462

Subj: REQUEST FOR ALTERNATE SCHEDULE FOR SUBMITTAL OF A
DECOMMISSIONING PLAN, CONTROL NUMBER 5816²_{6 mg}

The Navy's radioactive materials program is licensed with the Nuclear Regulatory Commission (NRC) under Master Materials License (MML) No. 45-23645-01NA. The Navy is requesting both a delay in submitting a decommissioning plan and an alternate schedule for submittal of the decommissioning plan for Naval Radioactive Material Permit (NRMP) No. 04-66001-D1NP at Space and Naval Warfare Systems (SPAWAR) Center Pacific, San Diego, CA pursuant to 10 CFR 30.36(g)(2). A decommissioning plan will be required for the SPAWAR NRMP.

As of March 2011, the permittee had ceased principal activities of a type A broad scope permit under NRMP No. 04-66001-E1NP. Per 10 CFR 30.36(d) a decommissioning plan is required to be submitted within 12 months if no principal activities under the license have been conducted for a period of 24 months. Per 10 CFR 30.36(g)(2), an alternate schedule for submittal of a decommissioning plan was requested per Office of the Chief of Naval Operations Washington DC letter 5104 Serial N45/13U139727 of 7 August 2013. Delays in the declassification of archived records and research into broad scope activities outside the physical boundaries of SPAWAR San Diego have resulted in unanticipated delays in completing the historical radiological assessment (HRA) within the original estimated time frame. Office of the Chief of Naval Operations Washington DC letter 5090 Serial N455/14U132722 of 17 July 14 requested a ten year delay for submittal of a decommissioning plan and commencing decommissioning activities.

REC'D IN LAT 10/22/2014

5090

Ser N455/14U132792

20 Oct 14

Enclosure (1) provides an alternate schedule for submittal of a decommissioning plan to justify the ten year delay request. Enclosure (2) provides evidence that the extension of the initiation of decommissioning activities will not be detrimental to public health and safety and is otherwise in the best interest of the U.S. Navy and the public.

If you have additional questions, please do not hesitate to contact me via telephone at (703) 695-5259 or through electronic mail at douglas.w.fletcher@navy.mil.

Sincerely,



D. W. FLETCHER
CDR, Medical Service Corps,
United States Navy
Executive Secretary
Naval Radiation Safety Committee

Enclosures: 1. Alternate Schedule for Submittal of a
Decommissioning Plan
2. Evidence that the Extension of the Initiation of
Decommissioning Activities Will Not Be
Detrimental to Public Health and Safety

Copy to: Naval Sea Systems Command (04N)
Naval Sea Systems Command Detachment, Radiological
Affairs Support Office (NAVSEA DET RASO)

ALTERNATE SCHEDULE FOR SUBMITTAL OF A DECOMMISSIONING PLAN

1. Completed Milestones

a. As of March 2011, the permittee was directed to cease all principal activities for a type A broad scope permit under NRMP No. 04-66001-E1NP. On 17 March 2011, NRMP 04-66001-E1NP was converted to 04-66001-D1NP, a NRMP that only authorizes storage of radioactive materials pending decommissioning.

b. On 25 June 2012, the command provided formal notification of the change in Space and Naval Warfare (SPAWAR) Systems Center Pacific's operating status and that they had ceased all principal activities.

2. Original Projected Milestones

a. Radiological Affairs Support Office (RASO) completes the review of the HRA by 15 March 2014.

b. RASO forwards the HRA and a recommended final decommissioning group to Naval Radiation Safety Committee (NRSC) by April 2014.

c. NRSC forwards HRA and recommended decommissioning group to the NRC for approval by May 2014.

d. NRC approves the decommissioning group and HRA by August 2014 (estimated).

e. RASO completes the review of the decommissioning plan provided by the command by November 2015. Funding approval for the decommissioning plan may take approximately 1-2 years. During this time frame the decommissioning plan will be finalized for subsequent NRC approval.

f. RASO forwards decommissioning plan to the NRSC by December 2015.

g. NRSC forwards the decommissioning plan to the NRC for approval by January 2016.

h. NRC approves the decommissioning plan and incorporates the work plans into the MML by June 2017 (estimated).

3. Revised Projected Milestones

a. 30 July 2015: SPAWAR completes the HRA and forwards to Radiological Affairs Support Office (RASO) for review.

b. 30 March 2016: RASO completes review of HRA and forwards the HRA and a recommended final decommissioning group to Naval Radiation Safety Committee (NRSC).

c. 30 September 2016: NRSC forwards HRA and recommended decommissioning group to the NRC for approval.

d. 30 September 2017 (estimated): NRC approves the decommissioning group and HRA.

e. 30 March 2018: SPAWAR develops contract requirements to perform remedial investigation surveys, remediation/clean up actions, and final status surveys as part of the decommissioning plan.

f. 30 March 2020: SPAWAR obtains funding and awards the contract for development of the decommissioning plan. Funding approval for developing the decommissioning plan may take approximately 2 years.

g. 30 March 2021: SPAWAR submits the decommissioning plan for RASO review. SPAWAR requests funding for the decommissioning plan and decommissioning activities.

h. 30 March 2022: RASO completes the review of the decommissioning plan and forwards to NRSC.

i. 30 September 2022: NRSC forwards the decommissioning plan to the NRC for approval.

j. 30 September 2023 (estimated): NRC approves decommissioning plan.

k. 30 March 2024: If funding has been approved, SPAWAR awards the contract and starts decommissioning activities.

EVIDENCE THAT THE EXTENSION OF THE INITIATION OF DECOMMISSIONING
ACTIVITIES WILL NOT BE DETRIMENTAL TO PUBLIC HEALTH AND SAFETY

In order to demonstrate that delaying the start of decommissioning will not be detrimental to public health and safety, the following amplifying information is provided:

1. The cause of the NRMP conversion and Navy imposed sanctions was a failed inspection of naval regulations and expectations as opposed to nuclear regulatory commission regulations. The command immediately took actions which have improved their regulatory performance. The Radiation Safety Officer (RSO) was replaced with an active-duty commissioned officer. The command also hired a very experienced Assistant RSO from another high performing Navy command to provide experience and enhance continuity for program support. The command maintains a Radiation Safety Committee to ensure management involvement in the command's program. Subsequent unannounced inspections in January 2013 and March 2014 and an unannounced site visit in December 2013 showed satisfactory performance. No safety related violations and only 2 Navy-specific administrative findings were identified during this period. The Navy administrative findings were quickly and effectively corrected. Since the permit change the Navy has and will continue to inspect the command on a priority 1 (annual) basis to provide oversight to the command's strict compliance.

2. The permittee has developed, documented, and implemented a radiation safety protection program commensurate with the scope and extent of permitted activities and sufficient to ensure compliance with the provisions of 10 CFR 20.1101. This will ensure that public health and safety will be protected during the extension period. The following health and safety plan elements will be in effect during the standby period:

a. RASP operations for the use of any of the permitted radioactive materials still in the commands possession are prohibited. Emergency procedures have been developed covering potential casualty scenarios (e.g., fire, contamination spread, theft, loss of material, etc.).

b. Space and Naval Warfare Systems Center Pacific is a military facility with controlled access and active security apparatus limiting unescorted public access. The radiation safety staff has physical custody and control of areas known to have been used for licensed operations and for the storage of radioactive materials pending disposal or transfer. The

permittee has developed and implemented command procedures for the security, inventory, and accountability of permitted radioactive materials.

c. The permittee has committed to performing annual compliance audits of the radiation safety program content and implementation until the NRMP is terminated.

d. The permittee will use, to the extent practical, procedures and engineering controls based upon sound radiation protection principles to achieve occupational doses and doses to members of the public that are as low as is reasonably achievable (ALARA). Area dosimetry and radiation survey monitoring of offices and spaces adjacent to radioactive material storage areas are performed to ensure compliance with public dose limits.

e. The permittee will perform periodic radiation and contamination surveys to assess any changes in the radiological conditions of radioactive material storage areas. Leak tests of sealed sources shall be verified or accomplished prior to the transfer of any permitted material to an authorized recipient. The permittee will conduct sufficient monitoring, during the extension period, to assure that any residual contamination and exposure from stored radioactive material does not become a public or a worker health and safety issue.

In order to demonstrate that an extension of the time period for initiation of decommissioning is otherwise in the best interest to the U.S. Navy and the public, the following information is provided:

1. The command has a long history of use and experimentation of a wide variety of radioactive materials. The decommissioning will encompass both Navy permitted activities from the 1980s to the present and Atomic Energy Commission/Nuclear Regulatory Commission licensed activities prior to the establishment of the Master Materials License. Due to the large volume of work with sealed and unsealed radioactive materials at numerous locations, it has been determined that it will take approximately one additional year to complete the historical radiological assessment (HRA) for this command. The Navy believes that development of a detailed HRA and carefully executed decommissioning plan will help reduced overall decommissioning costs. The extension of the time period for initiation of decommissioning presents no undue risk from

radiation to the public safety and is otherwise in the public interest.

2. Postponing the initiation of decommissioning is not anticipated to result in the spread of contamination. It is anticipated that all of the sites requiring decommissioning will be located on military facilities or federally controlled areas with limited public access. There are no known contamination sources associated with the SPAWARS NRMP that risks the spread of contamination by airborne or waterborne pathways. All known sources of unsealed material were removed during previous operations. Further investigation is in progress as part of the historical radiological assessment and any change in the status will be reported.

3. Facilities used for past permitted operations and the storage of radioactive materials will not significantly deteriorate during a standby period. Facilities will be sufficiently maintained such that decommissioning is not significantly more complex at a later alternate decommissioning date.