

September 26, 2002

Mr. Ray Cherniske  
Remediation Manager  
Molycorp, Inc.  
P.O. Box 469  
Questa, NM 87556-0469

SUBJECT: REPORT OF MEETING WITH MOLYCORP, INC., DISCUSSING ITS  
PROPOSED ALTERNATE DECOMMISSIONING SCHEDULE FOR THE YORK  
FACILITY

Dear Mr. Cherniske:

Enclosed is a report of the September 12, 2002, meeting between staff of the U.S. Nuclear  
Regulatory Commission and representatives of Molycorp, Inc.

Please contact me at (301) 415-5869 if you have any questions.

Sincerely,

***/RA/***  
Tom McLaughlin, Project Manager  
Facilities Decommissioning Section  
Decommissioning Branch  
Division of Waste Management  
Office of Nuclear Material Safety  
and Safeguards

Enclosure: Meeting Report

Docket No.: 040-08794  
License No.: SMB-1408

cc: Molycorp, York Dist. List

Mr. Ray Cherniske  
Remediation Manager  
Molycorp, Inc.  
P.O. Box 469  
Questa, NM 87556-0469

SUBJECT: REPORT OF MEETING WITH MOLYCORP, INC., DISCUSSING ITS  
PROPOSED ALTERNATE DECOMMISSIONING SCHEDULE FOR THE YORK  
FACILITY

Dear Mr. Cherniske:

Enclosed is a report of the September 12, 2002, meeting between staff of the U.S. Nuclear  
Regulatory Commission and representatives of Molycorp, Inc.

Please contact me at (301) 415-5869 if you have any questions.

Sincerely,  
**/RA/**  
Tom McLaughlin, Project Manager  
Facilities Decommissioning Section  
Decommissioning Branch  
Division of Waste Management  
Office of Nuclear Material Safety  
and Safeguards

Enclosure: Meeting Report

Docket No.: 040-08794  
License No.: SMB-1408

cc: Molycorp, York Dist. List

**AN: ML022680692                      Template No.: NMSS-010**

**This document should /X/ should not / / be made available to the PUBLIC \_\_\_\_**

**Ticket No.: N/A**

**DISTRIBUTION:**

Central File                      DCB r/f    NMSS r/f                      R.Bellamy, RI                      C.Gordon, RI  
   J.Lieberman

DOCUMENT NAME: Meeting Report Memo

OFC	DCB		DCB			
NAME	T.McLaughlin*		C.Craig			
DATE	09/25/02		0926/02			

**OFFICIAL RECORD COPY**

## MEETING REPORT

Date: Thursday, September 12, 2002

Time: 1:00 PM to 3:00 PM

Place: U.S. Nuclear Regulatory Commission (NRC)  
11545 Rockville Pike  
Rockville, MD 20852  
Room T-7F5

Purpose: Discussion of Status of Alternate Decommissioning Schedule for Molycorp, Inc., York Facility

Attendees: See Attachment 1

### Background:

The site is located in the City of York, Pennsylvania, and occupies approximately 6 acres of land. Various chemical manufacturing has taken place at the site for over a 100 years with some chemical and rad material disposed of on site. Molycorp purchased the site in 1930 and processed rare earth ores, containing low quantities of thorium and uranium, in large volumes from 1965 to 1992.

Molycorp submitted its original decommissioning plan (DP) in August of 1995, proposing to clean-up the site to meet the SDMP Action Plan criteria for unrestricted use. The licensee provided a supplement to the DP on June 30, 1999. The DP was approved for unrestricted release on June 6, 2000. About two-thirds of the site has been excavated, surveyed, and released.

On May 9, 2002, Molycorp stated that it had let its radiological consultant go and currently was not conducting further excavation of contaminated material. On May 21, 2002, Molycorp submitted a letter stating that the significant increase in volume of contaminated material being shipped off site has adversely impacted both the project time line and budget. On June 17, 2002, Molycorp requested an extension from the regulatory requirements of the Timeliness Rule. Molycorp wants to study the remaining area of the site left to be cleaned up for a period of 3 months then submit an alternate decommissioning schedule. The extension from the Timeliness Rule was granted June 24, 2002. Molycorp is to send an alternate decommissioning schedule to NRC by the end of September.

A working group with representatives from NRC, PADEP, Molycorp, and MACTEC met at the York facility on July 18, 2002, to discuss the characterization of the remaining area to be released. Another working group meeting was held on August 6, 2002, at the York site. These working group meetings were supplemented by teleconferences. The general consensus was that the site characterization done in 1995 in support of the DP was inadequate and a new characterization of the remaining two acres was necessary.

Molycorp requested a public meeting to be held at NRC headquarters to discuss the status of its alternate decommissioning schedule and path forward for finishing the decommissioning of the York facility.

## Discussion

Molycorp presented slides giving a summary of its remediation experience at the site, observations and concerns about decommissioning, and a suggested path forward (Attachment 2). Molycorp wanted concurrence from NRC that independent verification surveys done by NRC would be done to the same standards and methodology as stated in the approved decommissioning plan (DP) for the site. NRC agreed to send a letter to Molycorp confirming that the verification surveys would be done according to the procedures in Molycorp's DP (Attachment 3).

### Attachments:

1. Meeting Attendees
2. Presentation Slides
3. Letter to Ray Cherniske

## MEETING ATTENDEES

Topic: Discussion of Status of Alternate Decommissioning Schedule for Molycorp, Inc.  
York Facility

Date: September 12, 2002

NAME	AFFILIATION	PHONE NUMBER
Larry Camper	NRC	301-415-7234
Claudia Craig	NRC	301-415-6602
Tom McLaughlin	NRC	301-415-5869
Bob Maiers	PADEP	717-783-8979
Ray Cherniske	Molycorp	505-586-7603
Bill Sharrer	Molycorp	760-856-7604
Allen Randle	Molycorp	760-856-7676
Steve Rima	MACTEC	970-243-2861
Scott State	MACTEC	303-273-5042
Craig Gordon	NRC Region I (by phone)	610-337-5216
Russ Hall	Public (by phone)	860-443-4944

September 24, 2002

Mr. Ray Cherniske  
Remediation Manager  
Molycorp, Inc.  
P.O. Box 469  
Questa, NM 87556-0469

SUBJECT: CHARACTERIZATION OF THE REMAINING AREA TO BE  
DECOMMISSIONED AT THE MOLYCORP, INC., YORK, FACILITY (LICENSE  
SMB-1408, DOCKET NO. 040-08794)

Dear Mr. Cherniske:

During the recent public meeting held at NRC headquarters on September 12, 2002, concerning the decommissioning status of the Molycorp, Inc., York, facility, the issue of characterizing the remaining area of the site left to be released was discussed. Although your decommissioning plan (DP) was approved, the actual history of the cleanup at the site has shown that the initial characterization, done in 1995 as part of the decommissioning plan, was inadequate as indicated by the magnitude of contaminated material that has been shipped off site. This inadequacy of site characterization was pointed out in your letter to NRC dated June 17, 2002, and our response to you dated June 24, 2002. Your proposal at the meeting was to characterize the remaining area to be released in a similar fashion as was done for area 2 using the approved approach in your decommissioning plan which includes the use of the subsurface averaging techniques as presented in the 1997 "AAR letter."

The NRC agrees with your approach for characterizing the remaining portion of the site with the same rigor as was done in characterizing area 2. The NRC confirmatory surveys will be conducted consistent with the final status survey methodologies outlined in your approved DP. However, NRC cannot rule out that sample results may dictate further characterization or remediation may be required (i.e., trenches at depth to ensure no seams of contamination remain). It should be noted that the need for remediation of any contamination that has migrated beyond site boundaries, is an unresolved issue which must be addressed for eventual termination of the York facility license.

We understand that by September 30, 2002, Molycorp will submit an alternate decommissioning schedule which will reflect the use of characterization and verification methodologies outlined in your approved DP. We look forward to reviewing the alternate schedule and moving forward with decommissioning of the York facility.

Mr. R. Cherniske

2

If you have any questions or comments related to this review, please contact me at (301) 415-5869.

Sincerely,

***/RA/***

Tom G. McLaughlin  
Project Manager  
Decommissioning Branch  
Division of Waste Management  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 040-08794  
License No.: SMB-1408

cc: Molycorp, York Distribution List

Mr. R. Cherniske

2

If you have any questions or comments related to this review, please contact me at (301) 415-5869.

Sincerely,  
**/RA/**

Tom G. McLaughlin  
Project Manager  
Decommissioning Branch  
Division of Waste Management  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 040-08794  
License No.: SMB-1408

cc: Molycorp, York Distribution List

**This document should /X/ should not / / be made available to the PUBLIC \_JTB\_ 9/12/02.**

**AN: ML022550584**

**TEMPLATE: NMSS-010**

**TICKET: N/A**

**DISTRIBUTION:** File Center DCB r/f NMSS r/f W.Reamer R.Bellamy C.Gordon

**DOCUMENT NAME:** C:\ORPCheckout\FileNET\ML022550584.wpd

OFC	DCB	DCB	OGC	DCB
NAME	T.McLaughlin	C.Burkhalter	J.Lieberman	C.Craig
DATE	9/12/02	09/17/02	09/19/02	09/24/02

**OFFICIAL RECORD COPY**