

NRC Responsibilities and Review Process for Phase 1 Decommissioning Plan

West Valley Demonstration Project (WVDP) Act Responsibilities

- Prescribe decommissioning criteria
- Informal review and consultation
- Monitoring

Decommissioning Process under WVDP Act

Prescribe Decommissioning Criteria

- NRC prescribed decommissioning requirements in accordance with Section 2(a)(5) of the WVDP Act.
- NRC selected the License Termination Rule (LTR) (10 CFR part 20, subpart E) as the decommissioning requirements in its February 1, 2002 Policy Statement (67 FR 5003).

Informal Review and Consultation

- DOE's submittal and NRC's review of DP for WVDP is governed primarily by WVDP Act:
 - Section 2(c) directs that NRC's review and consultation "shall be conducted informally ... and shall not include nor require formal procedures or actions by the Commission pursuant to the Atomic Energy Act ... the Energy Reorganization Act ... or any other law."
 - Section 2(c)(1) states that "The Secretary shall submit to the Commission, for its review and comment, a plan for ... decontamination of the facilities ... used in solidifying the waste."
 - Section 2(c)(1) directs NRC to provide comments and specify with precision its objections to any provision of the plan.
 - Section 2(c)(1) requires DOE to publish Federal Register notice and make plan and NRC's comments on plan available for public inspection.

Monitoring

- DOE shall afford NRC access to monitor site activities for the purpose of assuring the public health and safety.

NRC Decommissioning Review Process

- NRC solicits public comment on any alternative criteria or exemptions to the LTR proposed in the DP, pursuant to its 2002 Policy Statement. (Phase 1 DP does not contain any alternative criteria or exemption requests).
- Completeness review
- Technical review
- Request additional information (RAI), if necessary
- Technical evaluation report (TER)

NRC Current Phase 1 DP Review Schedule

- 12/2008 - Receipt of Phase 1 DP
- 3/2009 - Completeness Review
- 5/2009 - NRC Transmits RAI
- 9/2009 - DOE Completes RAI Response
- 12/2009 - NRC Technical Review
- Early 2010 - NRC Completes & Transmits TER

Steps After NRC Phase 1 Review

- DOE remediation per Phase 1 DP
- NRC in-process monitoring
- DOE submits Final Status Survey Report (FSSR)
- NRC reviews FSSR and conducts confirmatory survey, as needed