

2002 MOU between NRC and EPA



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(Superfund)
November 5, 2002



Purpose

- Describe MOU Status and History
- Provide Overview of MOU



MOU Status

- NRC and EPA have completed MOU on how two agencies will coordinate during NRC decommissioning
- Under development since 2000



MOU intent

- Minimize potential for site-specific issues due to inconsistent cleanup approaches
 - EPA expects vast majority of NRC cleanups to meet CERCLA standards
- MOU should result in:
 - More efficient use of federal dollars
 - Greater stakeholder confidence
 - Better working relationship between EPA and NRC



Background

- Since 1983, EPA has generally deferred NRC sites from listing on Superfund's NPL
 - Agreement States and NRC license-terminated sites not covered
- In 1997, EPA raised possibility of withdrawing deferral policy during disagreement between EPA and NRC over acceptable cleanup levels



Congressional direction

- House Appropriation Committee FY 2000 directed EPA and NRC to work on an MOU.
 - Subsequent reports have continued this direction.



MOU Overview

- MOU focuses on coordination between EPA CERCLA authority and NRC decommissioning or previously license-terminated sites
 - One section refers back to EPA's existing policy under RCRA at NRC sites



MOU Overview (continued)

- MOU provides consultation procedures for EPA and NRC
- EPA reaffirms 1983 deferral policy
 - Expanded to now cover previously licensed, in addition to currently licensed sites



Consultation Triggers

- NRC will contact EPA when:
 - Radionuclide MCLs will be exceeded in groundwater
 - Residual soil levels will exceed concentrations in Table 1



Consultation Triggers (continued)

- NRC will contact EPA when:
 - NRC contemplates future use of site will be restricted by conditions in license termination
 - NRC contemplates use of alternative criteria for license termination (i.e., site-specific dose greater than 25 mrem/yr may be allowed)



MOU Table 1

- Concentrations based on:
 - 1×10^{-4} cancer risk
 - UMTRCA as an ARAR (radium & thorium)
 - Hazard Index of 1 (total uranium)
- Residential and commercial/industrial land uses



Table 1 & MCLs

- Table 1 and MCLs included since levels may be used by EPA as action levels at CERCLA sites



MOU limited to NRC

- MOU does not affect how CERCLA actions are conducted
 - Table 1 does not establish cleanup levels
 - CERCLA cleanups should still consider 10-6 risk goal first (not 10-4)
- Agreement States not included
 - EPA would consider similar MOUs



MOU Contacts

- Designated Contacts
 - NRC, Director, Office of Nuclear Materials Safety and Safeguards (Martin Virgilio)
 - John Greeves, daily contact
 - EPA, Director, Office of Emergency and Remedial Response (Mike Cook)
 - Stuart Walker, daily contact