



STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
DIVISION OF RADIATION PROTECTION  
7171 Cleanwater Lane, Bldg. 5 • P.O. Box 47827 • Olympia, Washington 98504-7827  
TDD Relay 1-800-833-6388

25 February 2003

Christopher McKenney  
System Performance Analyst  
Environmental and Performance Assessment Branch  
Office of Nuclear Material Safety and Safeguards  
Mail Stop T-7J8  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Dear Mr. McKenney:

This letter is in response to the Nuclear Regulatory Commission's (NRC) request for comments on its Safety Analysis Report (SAR) concerning *Long-Term Hazard of Millstone Unit 1's Missing Spent Fuel Rods Potentially Disposed at the Hanford Commercial Low-Level Radioactive Waste Disposal Facility*. This report was published in the January 6, 2003 Federal Register (Volume 68, Number 3, page 588-589).

The SAR states that the rods may have been unintentionally disposed of at the Hanford, Washington commercial low-level radioactive waste (LLRW) disposal facility, but most likely were inadvertently shipped to the Barnwell LLRW site. The NRC's SAR concluded that if the rods were shipped to Hanford, they would not constitute a present or future risk to the public health and safety of the environment.

The Washington State Department of Health staff have considered the source term of the Millstone fuel rods in its dose assessment portion of the Environmental Impact Statement (EIS) being prepared for the US Ecology facility, and have determined that the fuel rods present negligible additional risk. However, we cannot concur with the NRC's conclusions until the Final Environmental Impact Statement is completed and the public has an opportunity to comment. The Final EIS is estimated to be completed by mid-2003.

The department also has the following comments regarding the SAR:

- The statement on page 3 "This includes some other spent fuel that was legally disposed in Hanford during the 1970's" should be clarified. It should be made clear that any fuel waste legally disposed during the 1970's was accepted and authorized under the U.S. Nuclear Regulatory Commission's Special Nuclear Materials license. Although the source term



Christopher McKenney  
Page 2 of 2  
February 25, 2003

from these wastes were included in the state of Washington's dose assessment for the EIS that is being prepared for the facility, it is requested that all fuel waste disposed at the facility under the U.S. NRC license be accounted for and quantified.

- On page 3, the EIS source term for Tc-99 is 50 Ci, rather than 60 Ci.

We would like assurance that the presence of both the legally disposed fuel waste and the potential disposal of the Millstone fuel rods at the Hanford facility will not affect the transfer of the facility to the federal government custodian (US DOE) after site closure.

If you have any questions, please feel free to contact me at (360) 236-3210.

Sincerely,

  
Gary Robertson, Director  
Division of Radiation Protection

cc: Lilia Lopez, Assistant Attorney General  
Radiation Protection, Richland  
Larry Goldstein, Department of Ecology  
Mike Garner, Department of Ecology