

February 4, 2004

Mr. Carl G. Holder
PO Box 1316
Pasco, WA 99301

Dear Mr. Holder:

In a letter dated November 15, 2003, to Chairman Diaz, you requested information from the United States Nuclear Regulatory Commission (NRC) related to the Department of Energy's (DOE) Fast Flux Test Facility (FFTF) at the Hanford Site in Richland, Washington. Your letter asks seven questions and our responses are as follows:

In regard to your question on the cooperation between NRC and DOE, on January 15, 1997, the NRC and DOE entered into a Memorandum of Understanding (MOU) governing cooperative significant research projects. This MOU between the NRC and DOE describes the guiding principles under which cooperative research programs between NRC's Office of Nuclear Regulatory Research and DOE's Office of Nuclear Engineering, Science and Technology will be planned and conducted. This broad MOU allows for the creation of research specific MOUs between the NRC and DOE. At this time, there is no specific MOU in place for NRC to coordinate irradiation testing with DOE for fast spectrum fuel and materials for Generation-IV, the GT-MHR or other advanced fuel cycle concepts (although, the NRC continues to hold discussions with several interested parties about new reactor designs).

Your question on NRC's opinion on whether the decommissioning of the FFTF is consistent with the President's National Energy Policy is beyond NRC's role. NRC's mission is to ensure adequate protection of public health and safety from the commercial and civilian uses of nuclear material. It is not the NRC's role to make policy decisions regarding the decommission or restart of the FFTF.

In regard to your questions on the usefulness of the FFTF as a source of plutonium-238 isotopes and capability for new fast neutron research, the NRC is aware of a limited demand for plutonium-238 for use in medical applications. The NRC is not aware of any domestic or foreign regulatory difficulties involved in the supply of or supplier for plutonium-238. In a letter to Mike Holland at Brookhaven National Laboratory, dated June 26, 2001, we stated that in the near term we expected that our needs for test reactor irradiation would be for thermal neutron flux (rather than fast flux neutrons). For more information on this topic please refer to the DOE Record of Decision (ROD) published on January 26, 2001, in the Federal Register (Vol. 66, No. 18) for the Programmatic Environmental Impact Statement for Accomplishing Expanded Civilian Nuclear Energy Research and Development and Isotope Production Missions in the United States, including the Role of the Fast Flux Test Facility.

You also requested a definition of the term ENTOMB. It was defined by the NRC in the Supplementary Information to the 10 CFR 30, 40, 50, 51, 70, and 72 rule published in 1988 as the decommissioning option in which radioactive contaminants are encased in a structurally long-lived material, such as concrete, the entombed structure is appropriately maintained, and

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surveillance is continued until the radioactivity decays to a level permitting unrestricted release of the property.

The NRC has not been contacted by the DOE to act either as a cooperating agency in the preparation of an Environmental Impact Statement (EIS) or ROD or a commenting agency for an EIS regarding FFTF. The NRC continues to cooperate with DOE on many projects and will support future efforts as they develop.

We hope that the above information is helpful and we appreciate the opportunity to respond to your inquiry.

Sincerely,

/RA/

William D. Travers
Executive Director
For Operations

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