



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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 70FR 6047

Chief, Rules Review and Directives Branch
 U.S. Nuclear Regulatory Commission
 Mail Stop T6-D59
 Washington, D.C. 20555-0001

(1)

**RE: EPA Review and Comments on
 Construction and Operation of a Mixed Oxide Fuel Fabrication (MOX) Facility
 NUREG-1767, at the Savannah River Site, South Carolina
 Final Environmental Impact Statement (FEIS)
 CEQ No. 050023**

Dear Chief:

The U.S. Environmental Protection Agency (EPA) reviewed the subject *Final Environmental Impact Statement (FEIS)*, Pursuant to Section 102(2)(C) of the National Environmental Policy Act (NEPA), and Section 309 of the Clean Air Act. The document provides information to educate the public regarding general and project-specific environmental impacts and analysis procedures, and follows the public review and disclosure aspects of the NEPA process. The purpose of this letter is to inform you of the results of our review.

The stated goal of the project is to ensure that plutonium produced for nuclear weapons and declared excess to national security is converted to proliferation-resistant forms. DOE proposes to design, construct, and operate a proposed Mixed Oxide (MOX) Fuel Fabrication Facility that would convert depleted uranium and surplus weapons-grade plutonium into MOX fuel. The proposed MOX facility would be located at the Savannah River Site in South Carolina, and would be part of DOE's surplus plutonium disposition program. Because Congress gave the NRC licensing and related regulatory authority over the proposed MOX facility, its construction and operation will require NRC approvals, issued pursuant to the *Code of Federal Regulations*, Title 10, Part 70 (10 CFR Part 70).

Support facilities are part of the proposed action: an associated Pit Disassembly and Conversion Facility (PDCF) would be constructed, along with a Waste Solidification Building (WSB). The PDCF would provide for the recovery of plutonium from disassembled weapons, converting it to plutonium dioxide powder for feedstock. The WSB would be used for processing liquid waste streams and converting them to solid transuranic waste (TRU) or low-level waste (LLW). A pipeline would also be constructed between the support facilities and the MOX facility.

SFSP Review Complete

E-RFDS = ADM-03

Add = M. Blomquist
 (MXBL)

Template = ADM-013

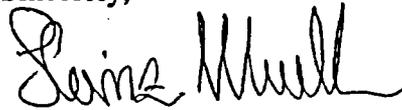
Overall, the FEIS is well-written and clearly explains the proposed action and the alternatives. We particularly appreciate your responses to our comments from the DEIS. Based on EPA's review of the document, environmental concerns continue to exist regarding some aspects of the proposed project. Specifically, hazardous and radioactive wastes generated from the proposed facility will require specialized waste management procedures, as well as safety and emergency response plans, in order to prevent impacts. We note that some air emissions issues will be further investigated during the Clean Air Act permitting process.

Transuranic (TRU), low-level radioactive waste (LLW), and hazardous and non-hazardous (both liquid and solid) wastes are expected to be generated during operation of the proposed facility, and will require specialized handling, storage, transportation and disposition measures in order to safeguard human health and the environment.

Exhausts from the proposed facility will be treated to remove radioactive materials before the exhaust is discharged to the atmosphere. Monitoring is planned during the operation and decommissioning phases of the project. Groundwater quality impacts are not anticipated, since there would be no discharges to underlying aquifers; regular monitoring of the double-walled liquid high-alpha waste pipeline is planned.

Thank you for the opportunity to comment on this project. If you have any questions or require technical assistance, you may contact Ramona McConney of my staff at (404) 562-9615.

Sincerely,

A handwritten signature in black ink, appearing to read "Heinz Mueller", written in a cursive style.

Heinz J. Mueller, Chief
NEPA Program Office