

SUMMARY OF MAY 19, 2005, PUBLIC MEETING REGARDING ROLES AND RESPONSIBILITIES FOR THE IDAHO NATIONAL LABORATORY

Introduction

On May 19, 2005, staff and management from the U.S. Nuclear Regulatory Commission (NRC), and U.S. Department of Energy (DOE) met to discuss respective roles and responsibilities with regard to the DOE waste determinations at the Idaho National Laboratory under the National Defense Authorization Act (NDAA) of 2005. This public meeting was held at NRC Headquarters in Rockville, Maryland.

In addition to NRC and DOE staff, participants included representatives of the Idaho Department of Environmental Quality (IDEQ), and the Idaho Attorney General.

The meeting notice is included as Attachment 1, agenda is included as Attachment 2, the list of attendees is included as Attachment 3, and the presentation slides are included in Attachment 4.

Discussion

DOE initiated the discussion with an overview of the DOE Idaho National Laboratory including the site history, plans for waste determinations, current site condition and planning dates. The DOE Idaho Tank Farm Facility has been used for the storage of a variety of radioactive wastes, including wastes directly from spent fuel reprocessing and other ancillary wastes. Spent fuel reprocessing wastes and other ancillary facility wastes were sent to the Idaho tank farm until 1992 and the tank farm contains eleven 300,000-gallon tanks plus their surrounding vaults, four 30,000-gallon tanks, interconnecting transfer piping and secondary containment components for the transfer piping. Tank cleaning efforts have been shown to be effective in removing much of the waste from the tanks and other tank farm components - however, some residual waste will remain in the tank farm components at closure. Section 3116 of NDAA applies to at least some of the residual waste that will remain in the tank farm components at closure. The DOE Idaho tank farm planned closure process includes completion of bulk waste removal, tank cleaning, verification sampling and analysis of residuals, and in-place closure by filling cleaned tank components with grout. Currently, tank cleaning has been completed on seven 300,000-gallon tanks and four 30,000-gallon tanks. The DOE staff also outlined that the first DOE INL determination is expected to be submitted to the NRC in late June 2005, and requested that the NRC provide Requests for Additional Information (RAI) in October 2005. DOE expects to respond to the NRC's RAIs in December 2005 and requested a Technical Evaluation Report from the NRC by March 2006 for the Secretary of Energy's determination in April 2006.

The next agenda item discussed was the NRC activities to fulfill the agency's consultation role

under the NDAA Section 3116. The NRC staff outlined that under the NDAA, DOE is required to consult with NRC on its non-High Level Waste determinations in South Carolina and Idaho. In addition, the DOE must also consult with NRC on its disposal plans for waste that exceeds Class C concentrations. The NRC must monitor any on-site waste disposal to assess whether it is compliant with the performance objectives of Title 10 of the Code of Federal Regulations (10 CFR) Part 61, Subpart C (NRC's low-level waste disposal regulations). The NRC plans to review DOE's methodology, assumptions, and conclusions for each of its waste determinations. NRC steps will include reviewing DOE documentation, developing requests for additional information and reviewing DOE responses, conducting site visits, and developing a final TER. In addition, the NRC will work with the State to monitor on-site waste disposal to determine whether it is compliant with 10 CFR 61, Subpart C. If DOE is found to be non-compliant, NRC will provide reports to Congress, the State, and DOE documenting its findings.

The NRC has performed consultative incidental waste reviews for Hanford (1997), Savannah River Site (2000), and Idaho (2002 and 2003). NRC generally found that DOE's approaches were reasonable, and provided recommendations for further improvement. The criteria in the NDAA are similar to the incidental waste criteria already used by NRC. Some examples of technical areas addressed in reviews include estimated radionuclide inventory, possible technology alternatives, DOE's performance assessment methodology, and uncertainty and sensitivity analyses.

The last agenda item involved IDEQ permitting requirements and scheduling. The IDEQ outlined that its expectations are: (1) the waste determination process should be transparent to the public and stakeholders, (2) the process should also be logical and systematic, (3) there should be 1 inch or less of waste left in the tanks prior to introduction of grout material, and (4) contamination levels should meet the low level waste requirements. IDEQ stated that it wants the tank farm in a safe condition for the long term, including contamination from spills and leaks. IDEQ also stated that it wants the waste determination and review process to move forward.

Public Comment

None

Closing Remarks and Follow-up

NRC and DOE staff agreed that the meeting was useful and productive.