

3 DOE RESPONSE TO COMMENTS

3.1 INDEX TO DOE RESPONSE TO COMMENTS

Commentor No.	Name	Company/Organization	Page
1	Wade Hollinger	Individual	3-5
2	Guy Ragan	Individual	3-5
3	Phillip Ellison	Idaho National Environmental Engineering Laboratory	3-6
4	Robert Dyer	Dyer Enterprises	3-7
5	Dr. Mark S. Denton	Mountain Technologies Network Group	3-2
6	Rudy Weigel	Individual	3-2
7	Bob Peelle	Individual	3-2
8	Dr. Lee Plansky	Individual	3-2
9	Cathy Lemar Tom Goldtooth Dan Fahey	Military Toxics Project Indigenous Environmental Network Swords to Plowshares	3-2
10	Withdrawn	Comment letter submitted but since withdrawn	3-2
11	Ron Adkisson	Rio Algom Mining Corporation	3-2
12	Andrew Balding	Individual	3-3
13	Mary B. Davis, Ph.D.	Ygdrasil Institute	3-3
14	Corinne Whitehead	Coalition for Health Concern	3-3
15	L. Lee Hamblin	Jacobs Engineering Group, Inc.	3-3
16	Anonymous	Paducah Cylinder Handler	3-4
17	William A. Robison	U.S. Fish & Wildlife Service	3-4
18	Mark Janaskie	Individual	3-4
19	Robert C. Parrott	Individual	3-4
20	Donald W. Radcliffe	Nuclear Fuel Consultant	3-4
21	Willie R. Taylor	U.S. Department of the Interior	3-4
22	Kenneth C. Zahn	Lawrence Livermore National Laboratory	3-5
23	William M. Arnold	ESP Eco-Pak Specialty Packaging, Division of CBC	3-5
24	Dan Fahey	Swords to Plowshares	3-5

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December 21, 2005 (3:30pm)

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 DECEMBER 21 2005

U.S. NUCLEAR REGULATORY COMMISSION

In the Matter of Louisiana Energy Services, L.P.

Docket No. 70-3103-ML Official Exhibit No. LES 113

OFFERED by Applicant/Licensee Intervenor _____

NRC Staff _____ Other _____

IDENTIFIED on 10/26/05 Witness/Panel LES Disposal

Action Taken: ADMITTED REJECTED WITHDRAWN

Reporter/Clerk Bethany Engel

10/26/05

10/26/05 = 2991-000

waste and disposal as LLW. Currently there are no known uses for the MgF₂ that would be produced if the use as metal alternative were to be selected; it is therefore assumed that this MgF₂ would require disposal either as nonhazardous solid waste or as LLW. Brief discussions of the market for anhydrous HF and historical industrial experience showing that if produced, it could be purified to contain less than 1 ppm uranium, are provided in Sections 2.3.3 and F.2.1 of the PEIS. Text has been added to Sections S.4.8 and 2.4.8 to clarify the assumption made in the PEIS that if HF were produced, it would be sold for use subject to appropriate review and approval by the U.S. NRC or DOE.

The PEIS assumes that any depleted uranium oxide disposed of would be classified as LLW. The evaluation of disposal options in the PEIS considered disposal in representative facilities which could be used for the disposal of LLW, including shallow earthen structures, vaults, and mines. Because the PEIS is not intended to identify sites for future management activities, the potential impacts of the disposal options were evaluated using generic environmental settings, and considered both "wet" and "dry" sites. The characteristics of these settings were selected to provide as substantive an assessment as possible and to allow for a comprehensive comparison of the alternatives. After the Record of Decision for the PEIS, potential facility locations would be evaluated and appropriate site-specific analyses for any required facilities would be conducted.

The detailed analysis presented for disposal in the PEIS does indicate that the dose to a hypothetical receptor from contaminated groundwater would exceed regulatory limits for a disposal facility in a "wet" environment for all three disposal options considered, including disposal in a mine. However, the analysis also indicates that groundwater impacts would be less than regulatory limits for a disposal facility located in a "dry" environment, including shallow earthen structures and vaults. (These results are summarized in Section 2.4.5 and presented in detail in Section I.4 of Appendix I). It must be stressed, as noted in Appendix I, that the disposal calculations are subject to a great deal of uncertainty and would depend greatly on the specific disposal facility design and site-specific factors, such as soil characteristics, water infiltration rates, depth to groundwater, and the chemical characteristics of uranium and the soil beneath the disposal facility. Such factors would be considered during site selection, facility design, performance assessment, and licensing activities if disposal were required. Rather than cite regulatory agency positions that may not be applicable to the disposal of depleted uranium oxide in the summary of potential waste impacts, text has been added to Sections S.4.5 and 2.4.5 (Water and Soil Impacts) detailing some of the uncertainties of the non-site-specific analysis for disposal, and stating that if disposal were implemented in the future, all disposal activities would take place in accordance with applicable rules and regulations for disposal of LLW (regardless of whether shallow earthen structures, vaults, or mines were the chosen disposal option).

Cumulative impacts were evaluated in the PEIS only for components of the alternatives for which the locations of the actions were already known (i.e., continued cylinder storage and cylinder preparation for shipment). The cumulative impacts of these components are described in Section