

Connecticut Yankee's 10 CFR 20.2002 Request for Alternate Disposal at US Ecology
Time line relevant to 10 CFR 70.17 specific exemption

5/5/05

1. June 24, 2004 Idaho-DEQ (Walker) email to OSTP (Sollenberger)
 - Idaho request for NRC interpretation of US Ecology RCRA permit change request, and which added 10 CFR 70.17 to the list of exemptions and disposal approval.
2. July 19, 2004 Idaho-DEQ (Monson) Permit Modification for US Ecology
 - included reference to exemption under 10 CFR 70.17 in WAC
3. November, 2004 Idaho-DEQ (Monson) Permit Modification
 - removes reference to 10 CFR 70.17 exemption from WAC
4. December 16, 2004 OSTP (Sollenberger) letter to Idaho DEQ (Hardesty)
 - NRC will provide specific exemptions for 20.2002's under 10 CFR 30.11, 40.14, or 70.17.
 - Once exempted, the State of Idaho is the responsible regulatory authority for disposal at RCRA C facilities in Idaho.
5. December 17, 2004 CY Request for alternate disposal at US Ecology under 20.2002.
6. January 12, 2005 CYAPCO (Van Noordennen) email
 - Request for specific SER language for US Ecology (Romano)
 1. *The plutonium concentrations in the waste are below detectable limits based on scaling factors, and*
 2. *There is no need to allow for exempt quantities of SNM per 10 CFR 70.17 since they are not allowed to receive SNM per their state permit.*
7. January 2005 Phone call (T. Smith) response to CYAPCO (Van Noordennen)
 - NRC regulatory framework requires exemption for materials identified in CY waste profile (no de minimis quantity).
 - Exemption required for CYAPCO waste under 10 CFR 70.17
 - NRC urged CYAPCO to contact US Ecology and assess impacts on their application.
8. February 7, 2005 Idaho-DEQ letter (Hardesty) to NRC (T. Smith)
 - In comments to the draft EA, Idaho requests NRC to clarify how the proposed action relates to regulation of transuranic elements in waste.
9. March 29, 2005 Phone call between NRC staff (T. Smith, B. Smith, et al) and Idaho-DEQ (Trevor, Monson, et al).
 - NRC staff explain that the approval and SER will contain specific exemptions under 10 CFR 30.11 and 70.17.
10. April 18, 2005 EA Issued
 - Responsive to States' comments
 - CT and ID provided draft EA for comment
 - Clarifies that exemption for plutonium is under part 70.
11. April 19, 2005 NRC Approval and SER
 - Grants specific exemptions under 30.11 and 70.17
12. April 27, 2005 NRC phone call (Gillen et al) with US Ecology (Romano et al)
 - discussion of part 70 exemption in CY's 20.2002 approval
13. May 2, 2005 US Ecology (Romano) letter to ID-DEQ (Monson)
 - US Ecology has decided not to propose acceptance of CY waste.
 - *Based on a number of policy considerations including availability of alternate, suitable disposal options for the waste.*

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