

February 2, 2007

MEMORANDUM TO: Melanie A. Galloway, Chief
Technical Support Branch
Special Projects and Technical
Support Directorate
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

FROM: Gregory Suber, Acting Chief **/RA/**
Environmental Review Branch
Environmental Protection and Performance
Assessment Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

SUBJECT: TECHNICAL ASSISTANCE REQUEST - ENERGY SOLUTIONS LLC
REQUEST FOR AUTHORIZATION TO MODIFY ACTIVITIES
ASSOCIATED WITH THE CLIVE DISPOSAL FACILITY ORDER

The Division of Waste Management and Environmental Protection, Environmental Protection and Performance Assessment Directorate (EPPAD) requests technical assistance from the Division of Fuel Cycle Safety and Safeguards (FCSS) in the completion of the following project:

Project: Review EnergySolutions' application for modification to existing U.S. Nuclear Regulatory Commission (NRC) Order for exemption from 10 CFR Part 70 licensing

Docket No. / TAC No.: 40-8989 / J00803

License: EnergySolutions' Utah Radioactive Material License UT2300249

REQUESTED ACTION: EPPAD requests FCSS support in reviewing EnergySolutions' request for NRC authorization to accept for disposal, certain materials derived from the cleanup of the former gaseous diffusion facility located in Oak Ridge, TN. EnergySolutions is currently authorized under NRC Order to accept for disposal at its Clive, UT facility, waste containing special nuclear material in greater quantities than specified in 10 CFR Part 150 without obtaining an NRC license pursuant to 10 CFR Part 70.

FCSS is requested to conduct an acceptance review and detailed technical safety review of *EnergySolutions*' submittal of September 29, 2006, as supplemented by additional information provided by letter dated December 4, 2006. Also provided is additional background information from an October 24, 2006, meeting between NRC staff and *EnergySolutions* representatives, held at NRC Headquarters.

Materials Provided

- *EnergySolutions* 9/29/06 initial request
- *EnergySolutions* slides from 10/24/06 meeting with NRC staff
- *EnergySolutions* 12/4/06 submittal of additional information
- A copy of the most recent modification of NRC's Order, dated May 30, 2006, exempting *EnergySolutions* from licensing under 10 CFR Part 70

Proposed Schedule

Provide results of acceptance review to EPPAD February 16, 2007

Provide results of detailed technical safety review to EPPAD
in the form of a Technical Evaluation Report (TER) March 9, 2007

This schedule is tentative and based on the availability of your staff. Please contact me if a revised schedule is needed. I can be reached at gxs@nrc.gov or by phone at 415-1124.

Mr. James Park of my staff is the contact for this project. He can be reached via email at jrp@nrc.gov or by phone at 415-6935.

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