



State of Utah

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Governor

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Lieutenant Governor

Department of
Environmental Quality

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Executive Director

DIVISION OF RADIATION CONTROL
Dane L. Finerfrock
Director

February 22, 2010

Mr. Robert Lewis
Director
Division of Materials Safety and Agreements
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Lewis:

Prior to the Nuclear Regulatory Commission (NRC) "unique waste stream/depleted uranium" workshop in Salt Lake City last September and anticipating the NRC's rulemaking, EnergySolutions discussed with me their plans for providing a new performance assessment (PA) model for the disposal of large quantities of concentrated depleted uranium (DU) at their Clive, Utah facility. Also, during several teleconference calls prior to the September, 2009 workshop, the NRC indicated that the proposed regulation would likely include a requirement for an updated site-specific performance assessment for any low-level radioactive waste disposal site that proposed to dispose of DU.

On several occasions, EnergySolutions has stated the revised performance assessment will be submitted to the DRC not later than December 2010, or a few months earlier. Also, EnergySolutions has indicated to us their consultants are employing a simulation software, GoldSim. Since we have no familiarity with the software we have concluded that we'll need consultant services to provide a rigorous and timely review of the PA. After discussion of available options with Department of Environmental Quality management and EnergySolutions, we are requesting technical assistance from the NRC to review the proposed performance assessment.

Please let me know if additional information is needed to secure and formalize an agreement between our agencies to facilitate the review and evaluation of the upcoming EnergySolutions PA modeling report. It would be helpful to have a point of contact for further discussions on managing and conducting this project and the nature and level of consultation with DRC officials.

Sincerely,

Dane Finerfrock
Director

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Cc: Duncan White, Nuclear Regulatory Commission