Department of Energy
Washington, DC 20585

February 16, 2011

Mr. Larry Camper, Director
Division of Waste Management
and Environmental Protection
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Mr. Camper:

The Department of Energy (DOE) recently transmitted to your office a printed summary and CD-ROM of the *Draft Environmental Impact Statement (EIS) for the Disposal of Greater-Than-Class C (GTCC) Low-Level Radioactive Waste (LLRW) and GTCC-Like Waste* (Draft EIS). In its August 4, 2005, letter, the U.S. Nuclear Regulatory Commission (NRC) communicated its plan to be a commenting agency on the GTCC EIS. We welcome all NRC comments on the Draft EIS and would appreciate NRC's perspectives on the specific topics below.

1) *Applicable Federal Laws and Regulations (Section 13.3).* We invite NRC comment on whether NRC would need to develop new regulations or technical standards in the event that DOE decides to implement any of the alternatives evaluated in the Draft EIS. In addition, we invite NRC comment on how ongoing or planned NRC initiatives might impact the disposal of GTCC LLRW, such as efforts to risk inform 10 CFR Part 61 and to promulgate guidance related to spent fuel reprocessing activities.

2) *Conceptual Disposal Facility Designs (Appendix D).* We invite NRC comment on the conceptual designs for the alternative land disposal methods (intermediate depth borehole, enhanced near surface trench, and above grade vault), including whether there are additional design features that DOE should consider for inclusion in the Final EIS. Once a preferred alternative(s) is selected, DOE plans to refine the designs depending on the location and method selected for implementation.

3) *Factors to Consider in Developing a Preferred Alternative (Section 2.9).* DOE does not have a preferred alternative for the disposal of GTCC waste and, therefore, has not identified such an alternative in the Draft EIS. The Draft EIS identifies factors that we will consider in developing a preferred alternative or alternatives for the Final EIS. We invite NRC comment on the appropriateness of the factors and whether there are other factors that DOE should consider.

4) *Impact Assessment Methodologies (Appendix C) and Evaluation of Long-Term Human Health Impacts for the No Action Alternative and the Land Disposal Alternatives (Appendix E).* We invite NRC comment on the methodologies, assumptions, and uncertainties used in the impacts analyses.

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We would appreciate receipt of your comments within the 120-day public comment period, which ends June 27, 2011. Please do not hesitate to contact me at (301) 903-1669, or Mr. Arnold Edelman, the GTCC EIS Document Manager, at (301) 903-5145, if you have any questions on the GTCC EIS or would like to obtain printed copies of the full EIS. Additional information on the Draft EIS, including the full Draft EIS, and schedule for the public hearings, can be found on the GTCC EIS website at http://www.gtcceis.anl.gov/index.cfm.

Sincerely,

Christine Gelles
Director
Office of Disposal Operations