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June 27, 2011

Mr. Arnold Edelman
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SUBJECT: NYSERDA Comments on *Draft Environmental Impact Statement for the Disposal of Greater-Than-Class C (GTCC) Low-Level Radioactive Waste and GTCC-Like Waste* (DOE/EIS-0375-D)

The New York State Energy Research and Development Authority (NYSERDA) is providing the attached comments on the Department of Energy's (DOE) *Draft Environmental Impact Statement for the Disposal of Greater-Than-Class C (GTCC) Low-Level Radioactive Waste and GTCC-Like Waste Statement* (DEIS) 2011. NYSERDA respectfully requests that these comments be taken into consideration when DOE revises the document in preparation of the final EIS for issuance to the public.

If you have any questions regarding the attached comments, please contact me at (716) 942-9960 extension 4900.

Sincerely,

WEST VALLEY SITE MANAGEMENT PROGRAM

Paul J. Bembia

Paul J. Bembia, Director

ALM/amd
Attachment:
1. NYSERDA Comments on *Draft Environmental Impact Statement for the Disposal of Greater-Than-Class C (GTCC) Low-Level Radioactive Waste and GTCC-Like Waste* (DOE/EIS-0375-D)

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NYSERDA's Comment on the Draft *EIS for the Disposal of Greater-Than-Class C (GTCC) Low-Level Radioactive Waste and GTCC-Like Waste (DOE/EIS-0375-D)*

Cmt #	*EIS Line #*	*Comment*
1.	Page S-4, Line 13	To provide a more accurate and conservative total volume, the estimate of 12,000 m^3 of GTCC Low-Level Radioactive Waste (LLRW) and GTCC-like waste should be revised to 12,550 m^3. Specifically, the Group 2 GTCC LLRW "Other Waste" Remote Handled (RH) subcategory volume should be recalculated to include the West Valley contributions from the NRC-Licensed Disposal Area and the State-Licensed Disposal Area, which total 2,630 m^3. Added to the contributions from the Molybdenum-99 Production Facilities (390 m^3), the total volume for the Group 2 GTCC LLRW "Other Waste-RH" should be 3,020 m^3, versus the previously reported value of 2,300 m^3.
2.	Page S-8, Lines 14-15	This section states that "Tribal cultural resources include all physical, artifactual, and spiritual aspects for each of the potential areas being evaluated at Hanford, LANL and NNSS." Please clarify why tribal cultural resource evaluations were not conducted for the Waste Isolation Pilot Plant (WIPP) and the surrounding location as well as the Savannah River sites.
3.	Page S-13, Line 28	The estimated volume for Group 2 wastes is identified as 6,400 m^3. Due to the revisions identified in Comment No. 1, (i.e., the addition of West Valley contributions), the estimated waste volume for Group 2 GTCC LLRW "Other Waste-RH" should be revised from 6,400 m^3 to 7,150 m^3.
4.	Page S-13, Lines 35-37	This section states that "Current information is insufficient to allow a reasonable estimate of the amount of Group 2 waste that could be mixed waste." Although this statement may be accurate for some Group 2 mixed wastes, the 2010 Final EIS for West Valley should be used to approximate the WVDP contribution to the mixed-waste volume.
5.	Page S-14, Table S-1	Table S-1, "Summary of Group 1 and Group 2 GTCC LLRW and GTCC-Like Waste Package Volumes and Radionuclide Activities" needs to be revised after the Group 2 GTCC LLRW "Other Waste" RH subcategory volume is recalculated to include the West Valley contributions (as identified in Comments No. 1 and 3). The following estimated waste volumes in Table S-1 for Group 2 and Groups 1 and 2 LLRW and GTCC-like waste should be revised as indicated below: • Under Group 2 LLRW "Other Waste – RH" - 2,300 m^3 should be revised to 3,020 m^3 • Under the "Total for Group 2 GTCC LLRW" - 5,000 m^3 should be revised to 5,750 m^3 • Under the "Total Group 2" - 6,400 m^3 should be revised to 7,150 m^3 • Under the "Groups 1 and 2 GTCC LLRW Projected Total - 8,700m^3, should be revised to 9,550 m^3, • Under the "Total Projected Groups 1 and 2" - 11,000 should be revised to 11,450 m^3 • Under the "Total Stored and Projected"- 12,000m^3 should be revised to 12,550 m^3.
6.	Page S-51, Lines 28-39	This EIS assumes that "the engineered barriers (including the cover) would remain effective for the first 500 years after closure of the disposal facility and that during this time, essentially no infiltrating water would reach the wastes from the top of the disposal facility." Further, the EIS assumes that after 500 years, only 20 percent of the natural infiltration rate reported for each site would come into contact with the wastes at the top of the disposal facility. What is the basis for assuming that the engineered barriers will not fail prior to 500 years, and that after that 500 years, only 20 percent of

Cmt #	*EIS Line #*	*Comment*
		the site-specific natural attenuation of water will infiltrate into the top of the disposal facility? Are these assumptions consistent with EIS assumptions used at other DOE facilities?
7.	Page S-52, Lines 30-33	This section states "However, because the post-closure human health estimates presented in the GTCC EIS are for 10,000 years or more, and because current global climate change model projections extend only to the year 2100, it is uncertain whether the indications discussed here would continue for the 10,000-year post-closure period analyzed in the GTCC EIS." Clarify whether climate change model projections were incorporated into the 10,000-year performance assessment period identified in this EIS. If the climate change model projections were used, do these projections extend only through 2100 or do they project for the duration of the performance assessment period (i.e., 10,000-year post-closure period)? If these projections do not include the 10,000-year performance assessment period, how is climate change addressed? Are the projections alternative and location specific? How is uncertainty in the climate change estimates addressed through 2100 and for the remaining 10,000-year performance assessment period?
8.	S-58, Lines 7-11	The construction and operational experience stated in this EIS for the Trench Alternative appears to be very specific. Specifically, the conceptual design depth and size are much more detailed than the other alternatives. Explain why this conceptual design is so much more detailed than the other alternatives. Do these details provide sufficient information to "protect the facility from inadvertent human intrusion"? Is there data supporting the effectiveness of these specific design features? If so, it would be beneficial to incorporate this data into the draft EIS.