

Clements, John

From: Joe Weismann <jweismann@usecology.com>
Sent: Wednesday, July 17, 2013 3:22 PM
To: Clements, John
Cc: Hayes, John; Davis, Kevin T. (SAIC) (daviskt@westinghouse.com)
Subject: RE: Cultural and Historical Resources related to the Westinghouse/Hematite Environmental Assessment (1 of 3)
Attachments: 2009 Permit to Construct.pdf; Final 12 22 11 Reading Economic Impact Report.pdf; DO-13-77 2012 Environmental Monitoring Summary Report-Radiological.pdf; IDEQ_Rad_2012.pdf; IDEQ_Rad_2009.pdf; IDEQ_Rad_2010-2011.pdf

Hello John;

Below and attached please find USEI's responses to the provided questions. Due to the size of some of the e-mail attachments, I will be sending a total of three (3) e-mails. The subsequent responses will have (2 of 3) and (3 of 3) in the Subject bar.

If you have any questions or require additional information, please do not hesitate to contact me.

Best regards,

-JJW

*****We've Moved! Please Note Our New Address*****

Joseph J. Weismann, CHP

Vice President of Radiological Programs and Field Services



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From: Clements, John [<mailto:John.Clements@nrc.gov>]

Sent: Friday, July 12, 2013 5:50 PM

To: Joe Weismann

Cc: Hayes, John

Subject: RE: Cultural and Historical Resources related to the Westinghouse/Hematite Environmental Assessment

Joe,

Thank you for the response. I believe that is all we need right now regarding cultural and historical impacts. I will let you know if any additional information is needed in that area.

I have been continuing through the Environmental Assessment (EA) development with Jack Hayes, the Project Manager, and we have come up with a few additional questions that you can hopefully help us with. I am currently following the format of the last EA, since many of the topics are the same. I am attaching the last EA to this email to provide the location and context of the questions. To hopefully make the questions more clear, I also included the corresponding quotations from the previous EA. They are:

Page 5: Section 5.1, Land Use

The USEI site is almost totally encompassed by federally-owned grazing land and there is no information available or reason to suggest that there has been a land use change since October 24, 2011, when the EA associated with Hematite License Amendment 58 approving the May 2009 10 CFR 20.2002 request was issued to Westinghouse.

- *Are there any updates to the land use since the Amendment 58 approval on October 24, 2011? USEI: No. This is still current.*

Page 7: Section 5.6, Air Quality

The USEI site is located in an attainment area for National Ambient Air Quality Standards (NAAQS) and the air emissions from USEI are permitted under and in compliance with the June 2006 permit issued by the Idaho Department of Environmental Quality (IDEQ) (Permit No. 073-00004).

- *Is the referenced 2006 Idaho Department of Environmental Quality (IDEQ) Air Quality Permit the latest permit? If there is a newer permit, could you provide a copy? The 'Air Permit' as referenced is actually discussed in an IDEQ Air Quality 'Permit to Construct.' The latest version of this document (2009) is attached.*
- *Are there any changes to the attainment status? USEI: No change.*

Page 7: Section 5.6, Air Quality

Data from 2010 and 2011 annual environmental reports (US Ecology Idaho – IDD073114654 "2011 Environmental Monitoring Summary Report – Radiological" and US Ecology Idaho – IDD073114654 "2010 Environmental Monitoring Summary Report – Radiological - Revised") are representative of the air quality at the site.

- *If there are more recent Environmental Monitoring Summary Reports could you provide them? USEI: A copy of the USEI's 2012 Environmental Monitoring Summary Report – Radiological is attached.*

Page 8: Section 5.9, Visual/Scenic Resources

Neither the site boundary nor the type of operations has changed at the USEI facility since License Amendment 58 was approved. Consequently, the view shed around the USEI site has not changed since the October 27, 2011, License Amendment No. 58 was approved.

- *Has the site boundary or type of operations changed since the October 27, 2011, License Amendment No. 58 was approved? USEI: No change.*

Page 8: Section 5.10, Socioeconomics

USEI commissioned an economic impact study in 2005 (Section 6.2 of Attachment 7 of ADAMS Accession No. ML100320540), the results of which are provided in Table 1.

- *Have there been any additional economic impact studies since 2005? If so, could you provide the results? USEI: A revised Economic Impact study for Us Ecology's Idaho operations was performed in January 2012. A copy of the report is attached.*

Page 9: Section 5.11, Public and Occupational Health

IDEQ conducts annual RCRA facility inspections. There were no violations from 2002 – 2005. There were minor violations from 2006 to 2011. The violations were resolved through informal enforcement warning letters with no monetary fines. There were five EPA Toxic Substances and Control Act (TSCA) inspections from 2004 – 2011 and no violations. There has been only one radioactive waste management audit. The IDEQ audit was in 2004 and no violations were identified. There has been only one air quality permit inspection. The IDEQ inspection was in 2008 and a warning letter was issued which has since been resolved. The EPA conducted a Toxics Release Inventory inspection and determined that USEI had failed to report for 2009 the on-site disposal for 20 chemicals and 20 chemical categories. A Consent Agreement and Final Order were filed on March 12, 2012, when USEI agreed to pay an \$184,400 civil penalty.

- *Could you provide results of 2012 or 2013 IDEQ RCRA facility inspections? USEI: IDEQ performed RCRA Inspections of USEI in April and October of 2012. The Inspection reports are rather large (6 MB and 10 MB) so they will be attached to separate e-mails. They will be named 2 of 3 and 3 of 3, respectively as referenced above.*
- *If any EPA Toxic Substances and Control Act (TSCA) inspections occurred after 2011 could you provide the results of those? USEI: No TSCA inspections have occurred since 2011.*
- *Have there been any additional IDEQ radioactive waste management audits since 2004? If so, could you provide the results? USEI: Copies of IDEQ's Radiological Oversight Reports for the USEI facility for 2009, 2010-2011, and 2012 are attached.*
- *Have there been any additional IDEQ air quality permit inspections since 2008? If so, could you provide the results? USEI: No.*
- *Are there any updates to the EPA Toxic Release Inventory inspection that resulted in a final order and civil penalty paid in March 2012? Were there any additional inspections/results? USEI: No updates.*

Page 9/10: Section 5.12, Waste Management

As of April 30, 2012, approximately 846,000 cubic meters (1.1 million cubic yards) of capacity remained in Cell 15. Cell 15 has a projected life of approximately 2.5 years based on a monthly disposal rate of 30,852 cubic meters (40,000 cubic yards) per month (ADAMS Accession No. ML12207A392, page 2).

- *What is the current updated capacity and projected life remaining in Cell 15? USEI: As of the end of May 2013, Cell 15 had 680,361 yd³ (520,170 m³) of airspace remaining. This equates to 1.6 years of capacity at ~40,000 yd³ per month of usage. However, construction on the first phases of Cell 16 has been completed, which adds an additional USEI disposal capacity of ~800,000 yd³ immediately. Total permitted capacity of Cell 16 at complete build-out is 10 million yd³.*

USEI stated that the average concentration of radioactive material in waste disposed of at the USEI facility between 2009 and 2011 was approximately 76 pCi/g and is well below the site's concentration based limit of 3,000 pCi/g.

- *What is the current average concentration of radioactive material in wastes disposed to present? USEI: In 2012, the composite average activity concentration disposed at USEI was 79 pCi/g.*

Those are all the questions I have for now. I appreciate your assistance. Please let me know if you need any clarification. I am also out of the office next week - if you need assistance during that time frame please contact Jack Hayes (301-415-5928 or john.hayes@nrc.gov).

Thanks,
John

From: Joe Weismann [<mailto:jweismann@usecology.com>]

Sent: Thursday, July 11, 2013 6:42 PM

To: Clements, John

Subject: RE: Cultural and Historical Resources related to the Westinghouse/Hematite Environmental Assessment

John,

The 2006 American Geotechnics document was developed in preparation of the addition of Cell 16 to the USEI site. The only activities at the USEI site that have occurred since the previous Westinghouse Hematite alternate disposal authorization is the construction of the first phase of Cell 16 itself, which began in March 2012 and completed in November 2012. Nothing else beyond the scope of what was authorized by the Idaho State Historical Society in their May 18, 2006 letter has been undertaken. Furthermore, nothing of cultural or historical significance was discovered

during Cell 16 construction activities. The information provided in the Cell 16 Siting License Application document should still be applicable for the purposes of Cultural and Historical Resources at USEI.

I hope this meets your needs. Please feel free to contact me if you have any other questions.

Best regards,

-JJW

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Vice President of Radiological Programs and Field Services

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"Unequaled Service Excellence"

From: Clements, John [<mailto:John.Clements@nrc.gov>]

Sent: Thursday, July 11, 2013 4:17 PM

To: Joe Weismann

Subject: Cultural and Historical Resources related to the Westinghouse/Hematite Environmental Assessment

Mr. Weismann,

I am a Health Physicist with the U.S. Nuclear Regulatory Commission, and I am currently working on an Environmental Assessment (EA) related to Westinghouse's May 28, 2013, request for alternate disposal of wastes from the Hematite Decommissioning Project under 10 CFR 20.2002. In developing the EA, we must address several environmental and cultural issues. Particularly, under Section 106 of the National Historic Preservation Act, we must address whether or not any actions affect historic or culturally significant properties. In my review of previous EAs related to U.S. Ecology, it appears that U.S. Ecology has addressed historical and cultural resources in a June 28, 2006, report from American Geotechnics, titled "Hazardous Waste Facility Siting License Application Cell 16, Grand View, Idaho." I have attached the applicable portion (Appendix E) of that report for your review. The report, in its entirety, was provided to the NRC in support of previous Hematite alternate disposal requests – a copy of which can be found in the NRC's Agencywide Documents Access and Management System under accession number ML100320540.

The purpose of this email is to ascertain whether or not the Grand View, Idaho disposal cell footprint has changed since the development of the 2006 Hazardous Waste Facility Siting License Application report in order to determine whether or not the 2006 report still applies. If you could clarify that point, it would be appreciated. If there have been any site activities since the 2006 American Geotechnics report that may affect cultural or historical resources we would ask that you provide information related to those as well.

Thank You,
John Clements