

From: [Leshinskie, Anthony](#)
To: [Parrott, Jack](#); [Brian.Monson@deq.idaho.gov](#); [Tierney, June](#)
Cc: [Irwin, William](#); [Tifft, Doug](#); [Watson, Bruce](#); [Powell, Raymond](#); [Maier, Bill](#); [Kisicki, Aaron](#); [Landis-Marinello, Kyle](#)
Subject: [External_Sender] RE: Vermont Yankee request to NRC for alternate disposal of waste
Date: Wednesday, January 11, 2017 3:33:32 PM
Attachments: [VT Nuke Eng Comments on ENVY 20.2002 Alternate Waste Disposal Request at USEI - Letterhead.pdf](#)

Jack,

In response to your request for State of Vermont comments regarding Vermont Yankee's 10 CFR 20.2002 request, I am providing comments included in the attached letter.

Best Regards,

Tony Leshinskie

Anthony R. Leshinskie,
State Nuclear Engineer & Decommissioning Coordinator
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From: Parrott, Jack [mailto:Jack.Parrott@nrc.gov]
Sent: Monday, December 12, 2016 4:46 PM
To: Recchia, Chris; Brian.Monson@deq.idaho.gov
Cc: Leshinskie, Anthony; Irwin, William; Tifft, Doug; Watson, Bruce; Powell, Raymond; Maier, Bill
Subject: Vermont Yankee request to NRC for alternate disposal of waste

Dear Mr. Recchia and Mr. Monson,

By letter dated January 14, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16029A071), Entergy Nuclear Operators, Inc (ENO) submitted a request for NRC approval of alternate disposal of waste from the Vermont Yankee Power Station (VY) at the U.S. Ecology Idaho (USEI) facility in accordance with 10 CFR 20.2002. The USEI facility is a Resource Conservation and Recovery Act Subtitle C hazardous waste disposal facility permitted by the State of Idaho. The USEI facility is not an NRC-licensed disposal facility. By letter dated March 22, 2016 (ML16077A345), NRC staff requested additional information from ENO to complete review of the request. On June 28, 2016, ENO submitted responses to the NRC staff's request for information (ML16182A035), and on August 11, 2016, ENO provided additional information to the NRC (ML16231A028).

The waste included in this 20.2002 request consists of approximately 200,000 gallons of water associated with the decommissioning of VY and contains low concentrations of fission and activation products resulting from VY operations. The waste will be transported from VY to USEI in tanker trucks, and the water will be solidified with clay at USEI prior to disposal.

To obtain approval for 20.2002 alternate disposals, the NRC requires the licensee to demonstrate that doses will be maintained as low as reasonably achievable (ALARA). The NRC has determined that for 20.2002 alternate disposal approvals this limit requires a licensee to demonstrate that the dose to a member of the public (including all exposure groups) is no more than "a few millirem per year."

USEI also submitted a letter on January 14, 2016 (ML16021A173), requesting an exemption from the licensing requirements of 10 CFR 30.3 to allow for the transfer of the waste containing byproduct material to USEI and disposal of the byproduct material at the USEI facility. Specific exemptions to the licensing requirements of 10 CFR 30.3 are provided for under 10 CFR 30.11. When evaluating 10 CFR 30.11 exemption requests in conjunction with 20.2002 alternative disposal requests, the NRC has applied a similar standard to both reviews. As discussed above, the NRC applies a dose standard of "not more than a few millirem per year" to any member of the public to its 20.2002 alternate disposal reviews.

Our internal guidance on processing such requests indicates that as part of enhanced outreach we send a draft of the final EA and SER to the State where the disposal will take place, as well as the State where the licensee is located, for a 30-day comment period.

Please see the attached draft final NRC EA and SER for your review. Let me know if you have any questions.

Sincerely,

Jack D. Parrott
Senior Project Manager
US Nuclear Regulatory Commission
301-415-6634