

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER DICUS
SUBJECT: **SECY-99-057 - SUPPLEMENT TO SECY-98-251,
"DECOMMISSIONING CRITERIA FOR WEST VALLEY"**

Approved X Disapproved _____ Abstain _____

Not Participating _____

COMMENTS: *See attached comments.*

Greta Joy Dicus
SIGNATURE

April 6, 1999
DATE

Entered on "AS" Yes X No _____

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PDR COMMS NRCC
CORRESPONDENCE PDR

9906080039

Commissioner Dicus' comments on SECY-99-057:

The following constitutes my vote on SECYs 98-251 and 99-057.

1. I approve the prescription of the License Termination Rule (LTR) now as the final decommissioning criteria applicable to the DOE West Valley Demonstration Project (WVDP).
2. The LTR criteria should be applied to the entire site.
3. The Commission decision on decommissioning criteria should be published for comment as a proposed policy statement.
4. After finalization of the Commission decision on decommissioning criteria, the decision should be transmitted to the DOE by public letter.
5. Following termination of the WVDP, staff should reinstate the NRC license for the purpose of regulating license termination activities and overseeing radioactive wastes that are stored on the site.
6. Staff should enter into an office-level cooperative agreement with NYSDEC regarding the West Valley site.

I do not approve on-site disposal of any WVDP wastes. While removal of this option has serious cost consequences and significant implications with respect to radioactive wastes that have been disposed at the West Valley site, I conclude that these impacts are offset by the potential consequences of using the West Valley site for disposal. There is a severe erosion threat to the site. Controlling this threat will require continued active maintenance of the site. While DOE regulations provide for long term institutional control, the significant radiological consequences that would result, should the active maintenance program be lost, render this option unacceptable. Therefore, the radioactive wastes generated as a result of the WVDP should be disposed off-site to the extent that the wastes can be accepted at off-site facilities. For those wastes that cannot be disposed to off-site facilities, I approve temporary storage only at the West Valley site until such time as off-site disposal or transfer arrangements are made.