



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

RELEASED TO THE PDR

10/26/99

DKW

date

initials

October 26, 1999

SECRETARY

MEMORANDUM TO: William D. Travers
Executive Director for Operations

FROM: Annette Vietti-Cook, Secretary *Annette Vietti-Cook*

SUBJECT: STAFF REQUIREMENTS - SECY-99-232 - PUBLICATION,
FOR PUBLIC COMMENT, OF A DRAFT POLICY
STATEMENT ON DECOMMISSIONING CRITERIA FOR
WEST VALLEY

The Commission has approved publication of the draft policy statement on decommissioning criteria for West Valley in the Federal Register for public comment subject to the changes provided in the attachment.

(EDO)

(SECY Suspense:

11/26/99)

Attachment: Changes to the draft policy statement in SECY-99-232

- cc: Chairman Dicus
- Commissioner Diaz
- Commissioner McGaffigan
- Commissioner Merrifield
- OGC
- CIO
- CFO
- OCA
- OIG
- OPA
- Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
- PDR
- DCS

1/1
DFa3

9910290233 991026
PDR 10CFR PDR
PT9.7

Ofm-6 SRm

Changes to the draft policy statement in SECY-99-232

1. On page 1, in the 1st paragraph under "Supplemental Information," revise line 7 to read '~~... activities resulted in 2,000,000~~ 2,300,000 (600,000 gallons) of liquid'
2. On page 3, paragraph 1 (Decommissioning Criteria for the WVDP), replace sentence 4 with the following:

"Rather, it provides for a range of criteria. For unrestricted release, the LTR specifies a dose criterion of 25 mrem/year to the average member of the critical group plus ALARA considerations (10 CFR 20.1402). For restricted release, the LTR specifies an individual dose criterion of 25 mrem/year plus ALARA considerations utilizing legally enforceable institutional controls established after a public participatory process (10 CFR 20.1403). Even if institutional controls fail, individual doses should generally not exceed 100 mrem/year. If it is demonstrated that the general 100 mrem/year criterion in the event of failure of institutional controls is technically unachievable or prohibitively expensive, the individual dose criterion in the event of failure of institutional controls may be as high as 500 mrem/year. However, in this circumstance this site would be rechecked by a responsible government entity no less frequently than every five years and resources would have to be set aside to provide for any necessary control and maintenance of the institutional controls. Finally, the LTR permits alternate individual dose criteria of up to 100 mrem/year plus ALARA considerations for restricted release with institutional controls established after a public participatory process (10 CFR 20.1404). Use of alternate criteria must be approved by the Commission itself after coordination with the Environmental Protection Agency and after consideration of the NRC staff's recommendations and all public comments."

3. On page 3, paragraph 1 (Decommissioning Criteria for the WVDP), replace the last sentence with the following:

"The Commission's application of the LTR to the WVDP is a two-step process: 1) the NRC is now prescribing the application of the LTR; and 2) following the completion of DOE/NYSERDA's Environmental Impact Statement (EIS) and selection of its preferred alternative, the NRC will verify that the specific criteria identified by DOE is within the LTR and will prescribe the use of this specific criteria for the WVDP."

4. On page 3, after paragraph 1, add a new section as follows:

"Decommissioning Criteria for the NDA and SDA

"NRC will apply the criteria in the LTR to the NRC-licensed radioactive waste disposal area (NDA) within the WVDP site boundary since the NDA is under NRC jurisdiction. NRC will not apply the criteria in the LTR to the State-licensed radioactive waste disposal area (SDA) adjacent to the WVDP site boundary since the SDA is not under NRC jurisdiction."