

May 30, 2000

MEMORANDUM William D. Travers
TO: Executive Director for Operations
FROM: Annette L. Vietti-Cook, Secretary /RA/
SUBJECT: STAFF REQUIREMENTS - SECY-99-0284 - CLASSIFICATION OF SAVANNAH RIVER RESIDUAL TANK WASTE AS INCIDENTAL

The Commission has approved staff's recommendation to transmit a response letter to the U.S. Department of Energy (DOE ~~EXIT~~), at Savannah River (SR), providing the results of the NRC staff review of the DOE-SR proposed methodology for classification and stabilization of residual tank waste located at the site's F and H areas. However, the Commission directs that the letter and its attachment be revised to delete all discussions of, and references to, the specific radionuclide concentration limits based on 10 CFR 61.55 proposed by the staff, and also be revised to reflect the following views:

The letter should be modified to avoid strictly applying the criteria developed for the Hanford site to Savannah River. Rather, the staff should take a more generic, performance-based approach. In this regard, the Commission could support DOE's proposed methodology as long as the first and third criteria are satisfied. In effect, DOE would undertake cleanup to the maximum extent that is technically and economically practical and would demonstrate that it could meet performance objectives consistent with those which the Commission demands for the disposal of low-level waste. These commitments, if satisfied, should serve to provide adequate protection of the public health and safety and the environment. The staff should not designate alternative concentration limits for wastes that would exceed Class C limits. Rather, DOE should be encouraged to develop concentration limits -- in effect to develop a site-specific alternative to criterion 2 -- in order to bound the analysis and to provide a firm benchmark for satisfactory cleaning of the tanks.

Additionally, the letter should emphasize that: 1) under the terms and conditions of the DOE/NRC Memorandum of Understanding and the Interagency Agreement, NRC is acting in an advisory capacity and is not providing regulatory approval; 2) DOE is responsible for determining whether the waste is "incidental;" and 3) NRC judgment as to the adequacy of the methodology is dependent on verification that the assumptions underlying the analysis are correct. Finally, the letter should also reinforce that the NRC assessment is a site-specific evaluation and is not a precedent for any future decisions on waste classification scenarios at other sites, particularly sites under NRC's jurisdiction.

(EDO)

(SECY Suspense: 6/30/00)

cc: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
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