



### Recommendation No. 88

May 25, 1999

#### HLW Tank Closure EIS - Motion 2

##### **Background:**

This motion by the Savannah River Site Citizens Advisory Board (SRS CAB) on the SRS High Level Waste (HLW) tank closure that is one in a series of recommendations on HLW tank closure. The Board first recommended to DOE in 1996 that it initiate the process of closing HLW tanks at SRS by developing criteria for HLW tank closure (Recommendation #15, January 23, 1996). DOE prepared an Environmental Assessment on tank closure. Subsequent to closing tanks 20 and 17 in 1997, with support from the SRS regulators, the Board recommended extending the closures to the first four-pack of tanks (i.e., close tanks 18 and 19 and evaporators 1F and 1H in addition to tanks 20 and 17; in Recommendation #43, July 22, 1997).

During this period, the Board encouraged DOE to interact with the Nuclear Regulatory Commission (NRC). In July, 1997, DOE and the NRC formalized a Memorandum of Understanding and Interagency Agreement between them to review the HLW tank closure methodology and determine whether the residual wastes remaining in the tanks could be categorized as "incidental wastes". Once a decision is rendered by NRC that the residual wastes in the tanks are "incidental wastes", DOE will proceed to close the remaining HLW tanks under the guidance of the regulators and the NRC. In June 1998, the NRC submitted a Request for Additional Information (a letter from Stablein at NRC to Schepens at DOE) on HLW Tank closure and the wastes remaining in the tanks. DOE responded to the request in September 1998. After a meeting with NRC on April 1, 1999, DOE submitted additional information (letter from Schepens at DOE to Reamer at NRC).

These exchanges, while necessary, have extended the time the CAB considers necessary for a decision to be rendered. This has increased our concern about the timing that the NRC's decision will have on the HLW tank closure EIS process. Specifically, the CAB understands that a final decision from the NRC may not be completed until October 1999. However, this decision would come after the end of the public review period of the HLW tank closure EIS now under preparation at SRS. The schedule for the EIS is shown below:

SRS High-Level Waste Tank Closure EIS schedule:

Draft EIS complete	6/14/99
Draft EIS for DOE approval	7/19/99
Public comment period starts	8/13/99
Public comment period closes	9/27/99

##### **Recommendation**

The Board hopes that the timing of the decision by the NRC Commissioners will not slow the EIS process. If the NRC decision can be rendered before the EIS public comment period closes (from August 13, 1999 to September 27, 1999), then DOE can incorporate that decision into the EIS and meet its commitment to the Board to finish the HLW Tank Closure EIS by December 1999 (Recommendation #78, January 26, 1999).

Therefore, the Board recommends to DOE SRS that DOE interact with the NRC Commissioners to encourage them to complete their decision before September 27, 1999.

##### **Agency Responses**

[Department of Energy-SR](#)