

Department of Energy
Savannah River Operations Office
P.O. Box A
Aiken, South Carolina 29802

FEB 15 2001

Ms. Karen K. Patterson, Chair
SRS Citizens Advisory Board
1103 Conger Drive
Aiken, SC 29803

Dear Ms. Patterson:

SUBJECT: Response to Citizens Advisory Board (CAB) Recommendation No. 131 - Draft Environmental Assessment (EA) for the Proposed Offsite Transportation of Certain Low-Level Radioactive Waste (LLW) and Mixed Low-Level Radioactive Waste (MLLW) from the Savannah River Site (SRS) for Treatment and Disposal at Commercial and Government Facilities

Thank you for your participation and recommendation on the Draft Transportation EA (DOE/EA-1308). I appreciate your interest and time in providing comments to the Department of Energy (DOE) Savannah River Operations Office (SR). The responses to your recommendation are provided in the following paragraphs, and appear in the Final EA.

Comment A: In Section 2.1 (Proposed Action pp. 9-10), the SRS CAB would like additional clarification on the level of controls and oversight that will be implemented at the commercial facilities receiving waste shipments, specifically whether DOE plans on conducting annual audits of these facilities.

Response A: DOE Order 435.1, Radioactive Waste Management, and DOE Manual 435.1 (which describes how the Order is implemented) identify the requirements that DOE must follow and the controls and oversight that must be in place before DOE ships waste to a commercial facility for treatment, storage or disposal. In making a decision to use a commercial facility for managing DOE radioactive waste, the DOE Field Element Manager must ensure that the decision is protective of the public and the environment. This responsibility is effected by ensuring the following: (1) the commercial facility is properly licensed and/or permitted; (2) the facility complies with applicable regulations; and (3) the facility has an acceptable history of operational and regulatory performance. Based on the characteristics of the waste that is being considered for transfer to the commercial facility, a review would be conducted of the licenses and permits held by the facility to determine if they provide appropriate coverage for management of the waste. This would be accomplished through a reading of the licenses and permits and through discussions with the issuing authority (Federal, State, or local licensing/permitting authority). This review would confirm that the facility is authorized to receive the radionuclides in the waste to be transferred, if the waste contains constituents subject to the Resource Conservation and Recovery Act or the Toxic Substance Control Act, and that the facility has the appropriate authorization to receive

and manage those constituents. Discussions with regulatory authorities and reviews of inspection reports would also be used to determine whether the facility has a history of acceptable operational and regulatory performance. Once a determination has been made by a DOE organization that a commercial facility has an acceptable operational and regulatory history, this determination can be used by other DOE organizations, (e.g. a DOE organization can use the results of a review performed by another DOE organization or DOE contractor in making a decision on the acceptability of the commercial facility's performance). However, it is the responsibility of a DOE organization using a commercial facility to ensure, on an annual basis, that the facility is maintaining an acceptable performance record, either through their own review or that conducted by another DOE organization or contractor. Documentation of the results of the evaluation of regulatory compliance and acceptable operational history as discussed above is adequate for showing that the use of the commercial facility will be protective of public health and the environment. The previously mentioned information has been added to the final EA.

Comment B: In Section 3.2.2 (Assumptions p. 12), the first sentence of the paragraph needs a verb correction and the SRS CAB would like to see an explanation of "exclusive use vehicles".

Response B: DOE has reviewed the sentence indicated [i.e., "Isotopic contents of the first source term case were developed from laboratory analysis and accountability reports (Thoman 2000)."] and determined that the verb usage is correct as initially written. Exclusive use vehicles are vehicles that, per a contractual arrangement, would only be shipping the contracted waste packages, and no other cargo. In addition, that vehicle would be involved in shipments where the waste packaging/containers are handled by only the shipper and the receiver. Further, the dose rate for external radiation during normal transportation must be maintained below the following limits (49 CFR 173): (1) dose of 10 mrem/hr at any point 2 m from the vertical planes projected by the outer lateral surfaces of the car or vehicle; and (2) dose of 2 mrem/hr in any normally occupied position in the car or vehicle. This definition has been included in a glossary that was added to the final EA.

Reference: Thoman, D. C., 2000. *The Source Term For Use in the NEPA Transport Analysis (U)*, S-CLC-G-00183, Rev. 2., Westinghouse Safety Management Solutions LLC, Aiken, South Carolina.

Comment C: The SRS CAB would like to know why agricultural risks were not discussed (Section 3.2.2 - Assumptions pp. 13-14).

Response C: As stated in the EA, Emergency Action Guidelines applicable to the area surrounding an accident would require interdiction of crops, cattle, and milk at specific thresholds, and these foodstuffs would thus be taken out of the market. Therefore, no pathway would exist for the introduction of harmful levels of contaminants into the human food chain as a result of an accident scenario.

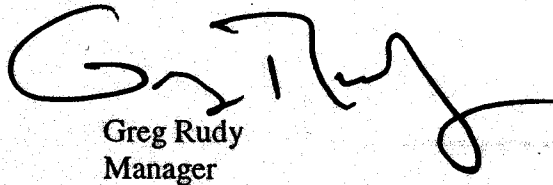
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Again, I want to thank you and your agency for your interest and comments on SRS activities. Enclosed is a copy of the final EA and Finding of No Significant Impact (FONSI). If you wish to receive further information concerning either this project or about DOE-SR's NEPA process, please contact Drew Grainger, of my staff, at P. O. Box A, Aiken, SC 29802, telephone number (803) 725-1523, or e-mail: drew.grainger@srs.gov.

Sincerely,



Greg Rudy
Manager

VH-01-011

2 Enclosures:

- (1) Final DOE/EA-1308
- (2) FONSI