



## **NRC Review of West Valley Demonstration Project Phase 1 Decommissioning Plan**

**January 28, 2009**

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### **Purpose of Meeting**

- **Discuss process for NRC review of West Valley Demonstration Project (WVDP) Phase 1 Decommissioning Plan (DP)**
- **Opportunity for stakeholders to ask questions and express their views relative to DP process**

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## NRC WVDP Act Responsibilities

- Prescribe decommissioning criteria
- Informal review and consultation
- Monitoring

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## Decommissioning Process under WVDP Act

### Decommissioning Criteria

- NRC prescribed decommissioning requirements in accordance with Section 2(a)(5) Of the WVDP Act
  - NRC selected the License Termination Rule (LTR) (10 CFR part 20, subpart E) as the decommissioning requirements in its February 1, 2002 Policy Statement (67 FR 5003)

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## Decommissioning Process under WVDP Act

### Informal Review and Consultation

- Section 2(c)...review and consultation provided by the Commission pursuant to this subsection shall be conducted informally ... and shall not include nor require formal procedures or actions by the Commission pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, or any other law.

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## Decommissioning Process under WVDP Act

### Need for a DP

- Section 2(c)(1) The Secretary shall submit to the Commission, for its review and comment, a plan for ... decontamination of the facilities ... used in solidifying the waste.

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## Decommissioning Process under WVDP Act

### Informal Review and Consultation

- DOE required by WVDP Act to submit plan for NRC review and comment
- NRC required to provide comments and specify with precision its objections to any provision of the plan

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## Decommissioning Process under WVDP Act

### Informal Review and Consultation

- DOE submits Phase 1 DP
  - DOE publishes Federal Register notice and makes DP available for public inspection as required by Section 2(c)(1) of the WVDP Act.
  - Under the WVDP Act, NRC cannot institute a formal process to solicit and respond to public comments on the DP.

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## Decommissioning Process under WVDP Act

### Informal Review and Consultation

- **Completeness review**
- **Technical review**
- **Request additional information (RAI), if necessary**
- **Technical evaluation report (TER)**

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## Steps After NRC Review and Comment on the Phase 1 DP

### Monitoring

- **DOE remediation per Phase 1 DP**
- **NRC in-process monitoring**
- **DOE submits Final Status Survey Report (FSSR)**
- **NRC reviews FSSR and conducts confirmatory survey, if needed**

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## Opportunities for Public Participation in the Decommissioning Process

- Six month public review of draft Environment Impact Statement
- Meetings between NRC and DOE on the DP will be noticed and open to the public
- DP, TER, RAI, and RAI responses will be made available for public inspection

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## Preliminary Phase 1 DP Review Schedule

- 12/8/08 - DP Receipt (ML083659423)
- 4/15/09 - Draft RAIs
- 5/15/09 - Transmit RAIs
- 8/15/09 - DOE Response to RAIs
- 10/15/09 - Complete Technical Evaluation
- 12/15/09 - Transmit TER

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## Correspondence

- **Correspondence sent to NRC will be processed in following manner:**
  - Public ADAMS
  - Acknowledgement Letter
  - RAIs
- **Comments should be sent to DOE**

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## Correspondence

- **Correspondence to NRC should be addressed to:**

**Rebecca Tadesse, Chief  
Materials Decommissioning Branch  
Division of Waste Management  
and Environmental Protection  
Office of Federal and State Materials  
and Environmental Management Programs**

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