

DEIS Chapter 1- CTF Member Individual comments as of 4/20/2009

Page	Paragraph / Section	Status	Comment
1-5	Para 2 Line 2	√	<p>“DOE also determined that the <i>Waste Management EIS</i> would be a new EIS, and that the <i>Decommissioning and/or Long-Term Stewardship EIS</i> would instead be considered the revised draft of the 1996 <i>Cleanup and Closure Draft EIS</i>.”</p> <p>1) Splitting the original EIS jeopardizes the intent of the original EIS for the entire site and potentially slows work because such a decision is open to legal challenge. 2) The title change from “<i>Cleanup and Closure</i>” to “<i>Decommissioning and/or Long-Term Stewardship</i>” indicates no intention to clean up and close the site.</p> <p>See also: p. 11 Section 1.6.1 which explains the rationale behind the decision to “revise and reissue the 1996 <i>Cleanup and Closure Draft EIS</i>”, changing the title to “<i>Decommissioning and /or Long-Term Stewardship EIS</i>”.</p> <p>Why did DOE decide not to title the 2008 DEUS the “Revised Cleanup and Closure EIS”?</p>
1-5		√	<p>The flexibility in allowable public dose criteria under the License Termination Rule is disturbing The public should be able to clearly understand from the document the various possible outcomes and exposures when taking into account the per year TEDE (total effective dose equivalent) beyond 25 millirem per year plus ALARA (“as low as reasonably achievable”). The public also needs to understand the implications of language concerning the failure of institutional controls (something that the Citizen Task Force believes likely over the long term) and the latitude available to DOE in the language if “technically not achievable or prohibitively expensive.” Both of these could result in significantly higher TEDE than one might assume. Under some of these circumstances, DOE could apply for alternate criteria and the TEDE may be as high as 500 millirem per year. This is not indicative of the protection of human health and safety as we understand it. Although DOE has indicated that there is no intention to apply for alternate criteria, we cannot assume in the DEIS that such an application will be made.</p> <p>Ambiguity exists in the application and interpretation of the License</p>

			Termination Rule and the West Valley Demonstration Act. These should be clarified. Would decommissioning of the High-Level Waste Tanks in the ground constitute a “disposal” decision?
1-6		√	<ul style="list-style-type: none"> • How can the tanks be decontaminated and decommissioned in the ground? • If the material inside is dried, would it not still be radioactive? • Does the LTR apply to that material? • “Such requirements as NRC will prescribe”... What determines end of NRC involvement in the site? • Will the disposal requirements specified under the West Valley Demonstration Project apply and under what circumstances?
1-8		√	Can NRC disapprove of the DOE plan at some later point?
1-8		√	As it deals with non-DOE, non-Project and non-SDA waste, can NRC, in resuming its regulatory role, exercise any authority to force parties to take action? i.e. take any action once the West Valley Demonstration Project Act is completed?
1-10	1-5	To be revisited	Decisions... “...to complete WVDP and either close or manage...” Cleanup is not mentioned.