

NRCREP - State of Idaho Comments on the Draft Standard Review Plan for Activities Related to U.S. Department of Energy Waste Determinations

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Date: 07/31/2006 6:25 PM
Subject: State of Idaho Comments on the Draft Standard Review Plan for Activities Related to U.S. Department of Energy Waste Determinations
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The State of Idaho's comments on the subject document are attached. If you have any questions, please do not hesitate to contact me.

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July 31, 2006

SENT VIA E-MAIL

Chief
Rules Review and Directives Branch
Mail Stop T6-D59
U.S. Nuclear Regulatory Commission
Washington DC 20555-001
Attention: Anna Bradford (AHB1@nrc.gov)

RE: State of Idaho Comments on the Draft Standard Review Plan for Activities Related to U.S. Department of Energy Waste Determinations, NUREG-1854, Federal Register: May 31, 2006 (Volume 71, Number 104), Docket Nos. PROJ0734, PROJ0735, PROJ0736, and POOM-32.

On May 31, 2006, the U.S. Nuclear Regulatory Commission issued a draft standard review plan for Activities Related to U.S. Department of Energy Waste Determinations for public comment. The state of Idaho has reviewed the draft standard review plan (SRP) and has the following comments:

1. The document is well written and provides for detailed guidance for reviews of DOE waste determinations by the NRC that are defensible and repeatable.
2. Example 2-2 on page 3-20 of the SRP describes a scenario using residual contamination "thickness." This example relates to concentration averaging calculations which use "volume" (e.g. cubic centimeters) as its standard of measure. However, the last sentence states that concentrations would be reduced by a factor of 20 *if* a volume basis were used. This example is, more appropriately, an illustration of a "volume" calculation and not "mass" as the last sentence insinuates. This example should use an actual mass or a conversion from "thickness" to mass to better illustrate the scenario if an illustration of a "mass" calculation was intended.
3. Section 10 (Monitoring) is very general and does not provide many specifics related to the types of monitoring and reporting that may be necessary under the NDAA. The state of Idaho recommends that additional consultation occur with the applicable States to ensure that the essential components of "monitoring" under the NDAA are addressed in this section before the NRC finalizes this plan.
4. Section 10.2 (lines 33-34) of the SRP recommends that DOE develop a monitoring plan to meet the intent of the NDAA since "it is the agency that is most cognizant of the site". While this is certainly a valid possible

methodology, the State understands that DOE will not develop a monitoring plan to solely meet the NDAA since it is a responsibility of the NRC. This statement should be agreed to by both DOE and the NRC prior to inclusion in the SRP.

5. Under section 10.2 of the SRP, lines 46-48, the NRC makes a statement that “the State has specific regulatory authority at the DOE site and the monitoring plan may include areas already regulated by the State”. In Idaho, since DOE is self-regulating for radionuclides, this sentence would be more appropriate to claim that “the State *may have* specific regulatory authority...” which describes, more broadly, those situations not subject to other regulatory programs such as CERCLA or RCRA.

Please contact me at 208-528-2614 if you have any questions regarding these comments.

Sincerely,

(Signature on file)

Bruce Olenick
Environmental Analyst
State of Idaho, Department of Environmental Quality
Division of INL Oversight and Radiation Control (DEQ-INL)

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