



DOE-NRC Meeting on Decommissioning Plan under West Valley Demonstration Project Act

May 19, 2008



Purpose of Meeting

- Discuss process for submittal and review of DOE's Phase 1 Decommissioning Plan (DP) for the West Valley Demonstration Project (WVDP).
- Discuss scope and content of DOE's DP for Phase 1 decommissioning.



Need for DP

- DOE obligated under WVDP Act and DOE/NRC Memorandum of Understanding (MOU) to submit plan for NRC review and comment.
- NRC obligated to provide comments and specify with precision its objections to any provision of the plan.
- NRC unable to fulfill its obligation without a plan that is closely linked to License Termination Rule (LTR).



Decommissioning Process for DOE under the WVDP Act

- NRC prescribed decommissioning requirements pursuant to Section 2(a)(5) of the WVDP Act
 - NRC prescribed its LTR as the decommissioning requirements in Policy Statement issued on February 1, 2002 (67 FR 5003).



Decommissioning Process for DOE under the WVDP Act (Cont'd)

- DOE submits DP at roughly same time as it submits its Draft Environmental Impact Statement (EIS)
 - Upon submission of the DP, DOE publishes a Federal Register notice and makes DP available for public inspection (as required by WVDP Act).
 - NRC only solicits public comment on any alternative criteria or exemptions to the LTR proposed in the DP, pursuant to its Policy Statement.
 - Phase 1 DP is not expected to contain any alternative criteria or exemption requests.



Decommissioning Process for DOE under the WVDP Act (Cont'd)

- NRC performs DP completeness review.
- NRC performs detailed review of DP.
- NRC issues Request for Additional Information (RAI), if necessary
 - NRC RAIs and DOE responses to RAIs will be made available for public inspection.



Decommissioning Process for DOE under the WVDP Act (Cont'd)

- NRC issues a Technical Evaluation Report (TER) to DOE for Phase 1 DP
 - Upon receipt of the TER, DOE publishes a Federal Register notice and makes NRC comments and its objections to any provision of the plan available for public inspection (as required by the WVDP Act).



Steps After NRC Review and Comment on the Phase 1DP

- DOE conducts remediation per DP.
- NRC conducts in-process monitoring, pursuant to WVDP Act and MOU.
- DOE submits Final Status Survey Report (FSSR) demonstrating that cleanup levels contained in DP are met.
- NRC reviews FSSR and conducts confirmatory survey, if needed.



Opportunities for Public Participation / Transparency in the Phase 1 Decommissioning Process for the WVDP

- Meetings between NRC and DOE on the DP will be noticed and open to the public
 - Meetings will include opportunities for the public to share its views at designated times.
- Six month public comment period on the Draft EIS.
- DP made available for public inspection upon submittal by DOE.
- RAIs and RAI responses made available for public inspection.
- TER, and NRC comments/objections to DP, made available for public inspection upon receipt by DOE.