

1995 Settlement Agreement The Midway Point

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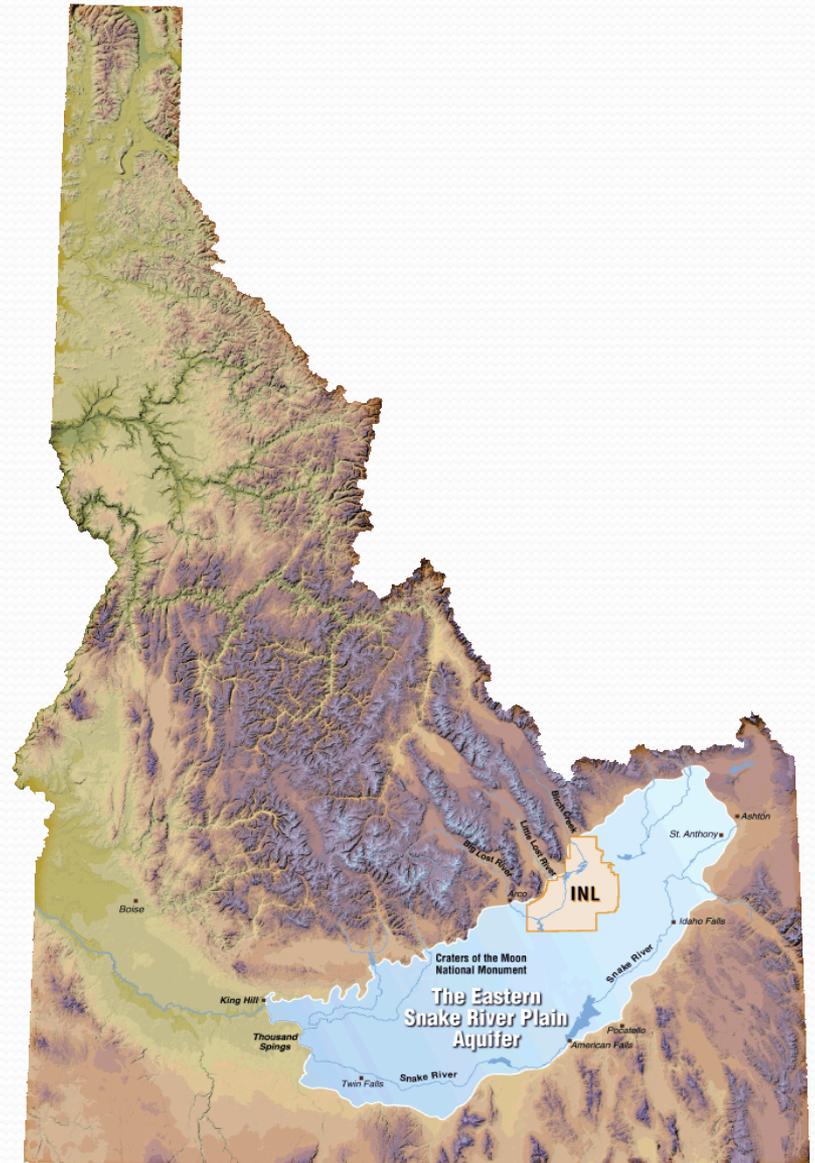
INL Coordinator

Idaho Department Of Environmental Quality

CAB Presentation ◦ April 8, 2015



- Largest aquifer in Idaho
- Only source of drinking water for nearly 300,000 people
- Covers more than 10,000 square miles
- Contains an estimated 1 billion acre feet of water

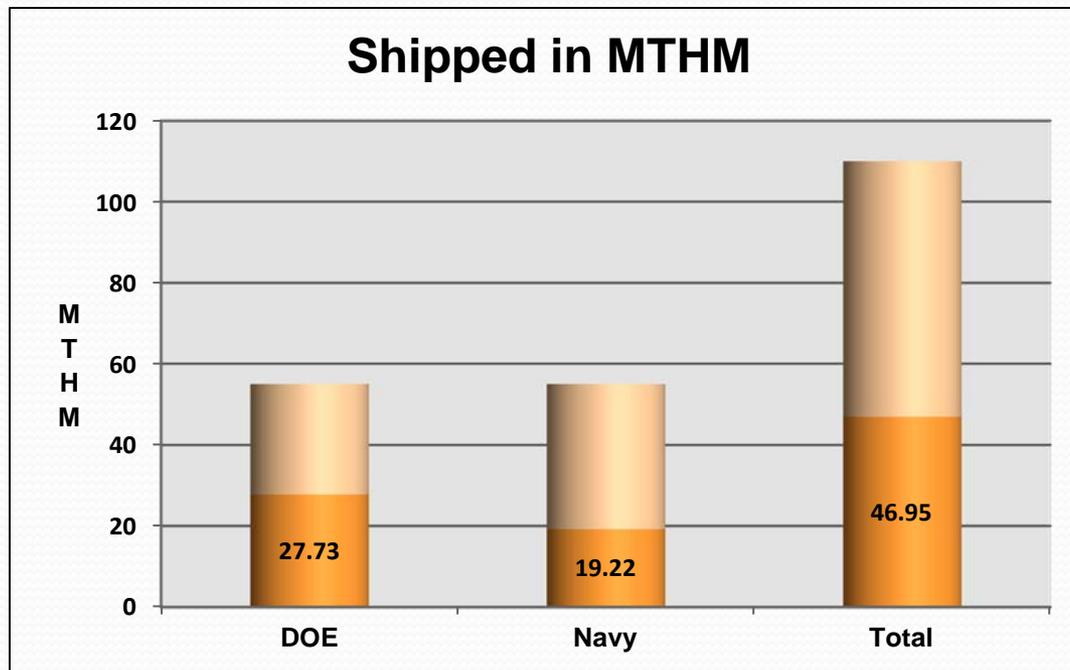


1995 Settlement Agreement

- Between State of Idaho, DOE and Navy
- Settled lawsuit brought by Idaho
- Only state with a **court order** requiring nuclear waste to be removed by specified dates
- Covers spent nuclear fuel, high-level waste and transuranic waste

Spent Nuclear Fuel Past 20 Years

- Removed **113** MTHM of fuel from **5 of 6** basins and canals
- Provided annual accounting of actual and estimated fuel shipments to INL



Spent Nuclear Fuel Past 20 Years

- Established the INL as DOE's:

*Lead site laboratory for management
of the Department's spent nuclear fuel.*

-October 26, 1995

Spent Nuclear Fuel Next 20 Years

- Transfer spent nuclear fuel from wet to dry storage by December 31, **2023**
- Remove all spent fuel, including naval spent fuel and Three Mile Island spent fuel from Idaho by January 1, **2035**
- Fort St. Vrain fuel

High Level Waste Past 20 Years

- Treated 330,000 gallons of high level waste (1997)
- Treated non-sodium bearing liquid waste (1998)
- Constructed and operated a mixed waste treatment facility (AMWTP) (2003)
- Provided documents regarding calcine treatment:
 - Record of Decision (2009)
 - RCRA permit application (2012)

High Level Waste Next 20 years

- Complete treatment of sodium bearing liquid waste
- By December 31, **2035**, have high level waste “into a form suitable for transport to a permanent repository or interim storage facility outside Idaho”

Transuranic Waste Past 20 Years

- Began shipment to WIPP on April 27, 1999
- Shipped 3,100 cubic meters by October 21, 2002
- Sent the first 3-year running average of 2,000 cubic meters out of Idaho by February 21, 2006
- Shipped 40,836 cubic meters out of Idaho

Transuranic Waste Next 20 Years

- Ship a 3-year running average of 2,000 cubic meters out of Idaho
- Ship all transuranic waste located at the INL since 1995 to WIPP by December 31, 2018

Navy Addendum

- Requires pre-2017 spent fuel to be out of wet storage by 2023
- After 2017 spent fuel limited to 6 years in wet storage
- Continues the annual limit on spent fuel shipments after 2035
- Limits total volume in storage after 2035 to 9 MTHM

Agreement to Implement

- Specifies waste to be removed from subsurface disposal area and shipped out of Idaho:
 - Excavation and retrieval from at least **5.69** identified acres
 - Shipment of at least **7,485** cubic meters of targeted waste out of Idaho
 - Waste retrieved prior to December 31, 2017 must be shipped out by December 31, 2018 and subsequent retrieved waste must be out within 1 year

Memorandum of Agreement Commercial Spent Nuclear Fuel

- Grants a conditional waiver, as allowed under the Settlement Agreement, for small amounts of commercial fuel:
 - To be used for testing and research
 - Limited to 400 kilograms per year
 - Remains subject to overall limit of 55 MTHM
 - Must be removed by 2035
 - DOE must provide annual notice to State

Remedies

- No shipments of spent fuel to Idaho
- \$60,000 penalty per day:
 - For failure to remove spent fuel
 - For failure to remove Navy spent fuel from wet storage under Addendum