

High-Level Radioactive Waste Interpretation Overview

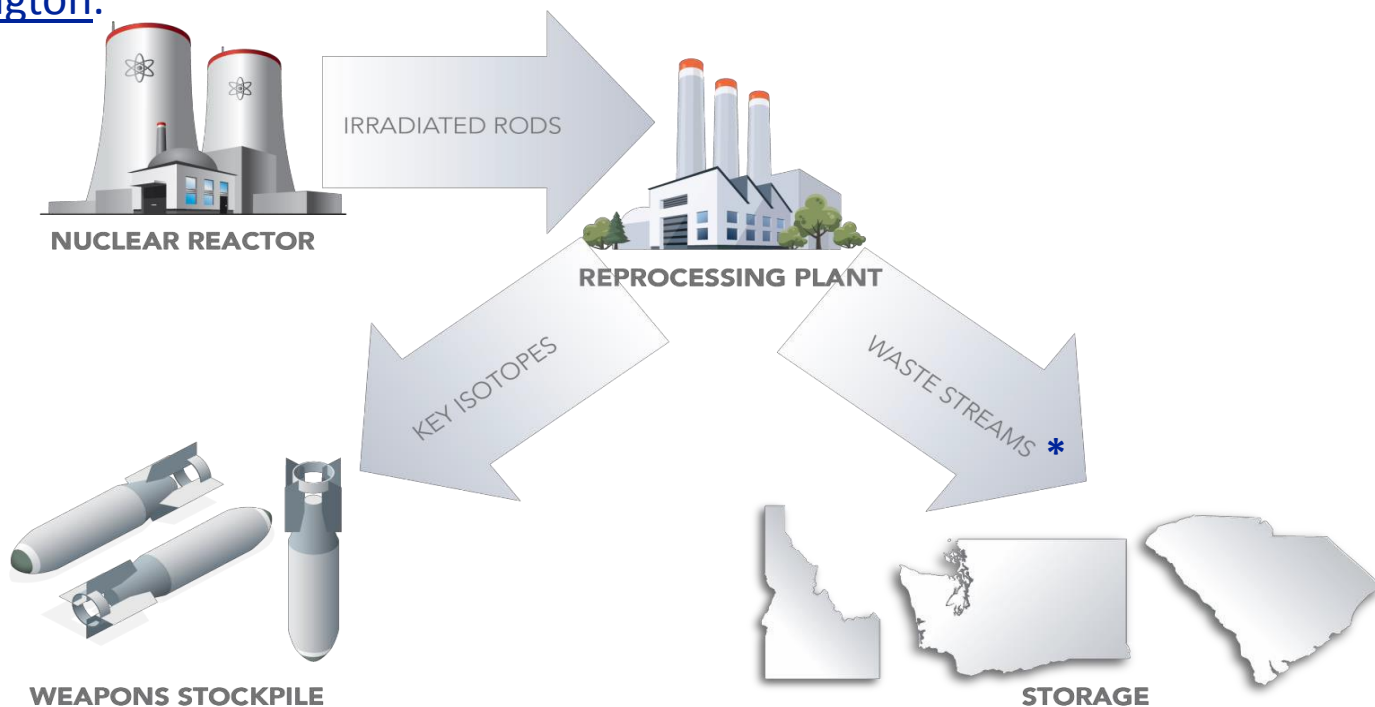


December 2019

- October 10, 2018: DOE issued a Federal Register Notice (FRN) inviting the public to comment on the HLW interpretation.
- June 10, 2019: A Supplemental FRN was published providing the High-Level Radioactive Waste (HLW) interpretation and providing DOE's response to public comments.
 - HLW, as defined in the Atomic Energy Act of 1954, as amended, and the Nuclear Waste Policy Act of 1982, as amended, is properly interpreted to mean that not all radioactive wastes from nuclear fuel reprocessing are HLW, and that some reprocessing wastes can be classified as non-HLW based on the radiological characteristics of the waste.
- June 10, 2019: A second FRN was published to announce DOE's intent to prepare National Environmental Policy Act (NEPA) documents to analyze treatment and commercial disposal of up to 10,000-gallons of SRS Defense Waste Processing Facility recycle wastewater.

For national defense during the Cold War, the U.S. reprocessed used nuclear fuel rods to isolate key radioactive isotopes for our strategic weapons stockpile.

That reprocessing created varied radioactive waste byproducts like sludge, slurry, liquid, and debris that remain stored at DOE sites in South Carolina, Idaho, and Washington.



* West Valley Demonstration Project not included because the WVDP Act provided a definition of HLW separate from the AEA and NWPA.

- This waste has been stored for decades where it was generated, and there is currently no near-term disposal path for certain reprocessing waste.
- The “source-based” approach to managing HLW has constrained the Department from taking important actions to safely and permanently dispose of certain waste streams that would reduce risk to workers and the environment.
- This science-based approach is expected to enable Department to move forward with its vital cleanup mission in a more effective manner to serve as a strong steward of public resources while still maintaining safety as a top priority.
- The Department and the commercial nuclear industry have decades of experience with the safe and effective disposal of low-level radioactive waste, which is already managed via its characteristics, not by how it was generated.

Key Points Moving Forward (cont'd)

- The HLW Interpretation does not change or revise any current policies, legal requirements, or agreements.
- The Department's responsibilities under existing laws, regulations, agreements, or permit requirements, existing legal authorities or those of its regulators at the federal, state, or local levels are unchanged (e.g., National Environmental Policy Act (NEPA), Resource Conservation and Recovery Act, etc.).
- The Department will continue to implement Section 3116 of the 2005 National Defense Authorization Act for classifying certain wastes in South Carolina and Idaho, where it is applicable.
- Any future implementation of the HLW Interpretation would be conducted on a site-by-site basis.
- The Department will work closely with local officials, regulators and stakeholders.
- No decisions have been made.

Benefits of the HLW Interpretation, if implemented:

- Reduces time that radioactive waste is stored on-site at Department facilities, increasing safety for workers, the public and the environment.
- Removes reprocessing waste from the States where it has been stored for decades and providing for the disposal of these wastes in facilities constructed and regulated for this purpose.
- Enhances safety at Department sites by using lower-complexity waste treatment and immobilization approaches.
- Aligns the U.S. with international guidelines -- based on radiological risk.
- Utilizes mature and available commercial facilities and capabilities to shorten mission completion schedules and reduce taxpayer financial liability.

- This EA is a good first step to engage in open and meaningful dialogue with stakeholders on the process for potential application of the HLW Interpretation.
- The EA supports the Department’s science-based objective for safe and effective disposal of reprocessing wastes.
- The Department is not considering at this time the application of the HLW Interpretation to any other reprocessing waste at the Savannah River Site or other site.
 - Any future decisions to do so would be conducted openly, similar to the process being followed for this initial waste stream.
- By applying this transparent and deliberative process in coordination with regulatory agencies, state and local officials, tribal nations, and other stakeholders, the Department is demonstrating that it is not cutting corners and that we will continue to uphold protection of human health and the environment as the fundamental premise in all our waste management activities.