



**Department of Energy**  
Savannah River Operations Office  
P.O. Box A  
Aiken, South Carolina 29802

JAN 23 2013

Dr. Donald N. Bridges, Chairperson  
Savannah River Site Citizens Advisory Board  
P. O. Box A  
Aiken, South Carolina 29802

Dear Dr. Bridges:

SUBJECT: Citizens Advisory Board (CAB) Recommendation Number 300 – The Savannah River Site (SRS) CAB Concerns Regarding Interim Storage of Commercial Spent Nuclear Fuel (SNF) and Other Nuclear Wastes and Materials at the SRS (Your letter 11/01/12)

Thank you for your recommendation on interim storage. Each item will be addressed separately below.

- 1) *Inform the CAB of any plans or discussions for bringing any new nuclear wastes or commercial SNF to SRS (within the bounds of national security requirements).*

We accept this subpart. The CAB is continually updated on what materials and wastes are planned to be brought to SRS via the performance measures presentations provided on a quarterly basis. These presentations address Nuclear Materials, Solid Waste, and High Level Waste currently stored as well as future receipts.

- 2) *Advise the CAB of those existing or potentially generated wastes that are under consideration to be stored at SRS in an interim storage status.*

We accept this subpart. As part of the Principles of Understanding agreed to by the Department of Energy (DOE), and the State of South Carolina, a report is prepared annually which lists the planned receipts and transfers from SRS of wastes and materials. This list does not include materials of national security interest for security reasons. We will work with the CAB to add a presentation to your work plan regarding the Principles of Understanding annual shipment report.

- 3) *Keep the CAB informed about the status and plans for the creation of a permanent repository for nuclear wastes that is capable of receiving legacy, or other wastes, or nuclear materials stored at SRS.*

We accept this subpart. When the Department has made plans regarding a permanent repository for the Used Nuclear Fuel and High Level Waste a presentation will be provided to the CAB.

- 4) *Not transfer any commercial SNF to SRS for any purpose until after the SRS Community Reuse Organization (CRO) study is completed, and stakeholders have reached a conclusion on the appropriateness of such an activity.*

We accept this subpart. Acceptance of commercial SNF is not within the DOE Office of Environmental Management (EM) purview as such no efforts are underway regarding this scope. DOE Nuclear Energy is responsible for any work regarding commercial SNF, and may

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have initiatives regarding storage of commercial SNF. However, as you are aware these initiatives are outside of the CAB's DOE EM scope. The Department is aware of the SRSCRO study. As part of a consent-based approach the Department believes the information from this study will be considered in any decision process, but as you know it cannot be the only factor to be considered in a consent-based approach.

- 5) *Make no decision regarding the use of SRS as an interim storage site for commercial SNF until establishing, and using a consent-based decision process.*

We accept this subpart. The Department is required to follow the National Environmental Policy Act (NEPA) for any new activities which requires public participation. Prior to establishing any site as an interim storage site for commercial SNF at a minimum, the Department is required under NEPA to request public comments and hold public meetings.

- 6) *Ensure that any nuclear materials or wastes brought to the site a) be processed in a manner that prepares them for disposition, b) after processing have a defined, scheduled, and viable path to disposition, c) be the subject of a formal and enforceable agreement with the State of South Carolina.*

We do not accept this subpart. Please remember that the Department as part of National Security and Nonproliferation may need to bring materials to the site for the better good of the Nation, and cannot commit to ensuring a path to disposition before receipt of the materials. The Department recently released the Strategy for the Management and Disposal of Used Nuclear Fuel and High-Level Radioactive Waste. This is the Department's response to the Blue Ribbon Commission Report on America's Nuclear Future. The strategy recognizes that "defining consent, deciding how that consent is codified, and determining whether, or how it is ratified by Congress are critical first steps toward siting the storage facilities and repository". So at this time it is unknown if enforceable agreements will be utilized as a part of the consent based approach for siting any interim storage sites or the permanent repository.

If you have any questions, please contact me, or have your staff contact Patrick McGuire at (803) 208-3927.

Sincerely,



David C. Moody  
Manager

NMPD-13-0009

cc:

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