

Nuclear Waste News

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SELLAFIELD

Ireland Takes Woes to The Hague; Seeks Shutdown of MOX Plant

Ireland launched legal action June 10 in the international court at The Hague to close down the United Kingdom's Sellafield nuclear facility, charging that Britain is violating numerous provisions of the United Nations Convention of the Law of the Sea (UNCLOS).

A five-member panel of arbitrators at the court began considering Ireland's claim that the United Kingdom's decision to manufacture mixed oxide (MOX) fuel at Sellafield was made without sufficient regard to UNCLOS provisions on protection of the marine environment.

"The case was taken when the strongly held objections of the Irish government to the commissioning of this plant, conveyed many times and over many years to the United Kingdom, were disregarded," said Ireland's Environment Minister Martin Cullen.

Terrorist Risks Short-Changed

Dublin also is concerned over Britain's "failure to properly assess the risk of terrorist attack on the Sellafield site or on international movements of radioactive materials," he said.

Ireland expects The Hague hearings on the case will last until June 27.

Britain is fighting the case, contending the plant will not release significant marine pollution.

The European Commission "has made clear that the operation of the plant would not lead to any detrimental environmental impact on Ireland, or ... on any other [European Union] member state," said U.K. Energy Minister Brian Wilson.

Contacts: Ireland Environment Department, +353 1 888 2000, fax: +353 1 888 2888; Sue Harrison, U.K. Department of Trade and Industries, sue.harrison@dti.gsi.gov.uk.

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SLANTS & TRENDS

NEW NNSA OVERSIGHT? Weapons cleanup and dismantlement issues could fall under the purview of a proposed new national commission to develop an overall strategy for the U.S. nuclear arsenal — if the proposal survives a House-Senate conference committee. Language calling for establishing the commission is included in the House defense authorization bill (H.R. 1588) but not in the Senate bill (S. 1050).

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THINGS ARE JUMPING in nuclear waste and remediation. This issue of *NWN* is up to 10 pages to cover the news volume. Among the highlights: it's DOE vs. the congressional General Accounting Office (GAO) on the Yucca Mountain quality assurance program (p. 114) and orphaned source recovery (p. 118) and DOE vs. Washington (again!) on Hanford (p. 115). Internationally, Ireland and the United Kingdom are squaring off in the international court at The Hague over Sellafield.



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YUCCA MOUNTAIN

DOE's Quality Assurance Is Still Deficient, GAO Says

The congressional General Accounting Office (GAO) has found serious problems in DOE's quality assurance (QA) program at the Yucca Mountain, Nev., repository site — "despite DOE's numerous attempts to correct them."

GAO considered DOE's own evaluations, as well as Nuclear Regulatory Commission (NRC) oversight that also concluded "the program still falls short of expectations," Robin Nazzaro, director of GAO's Natural Resources and Environment program, told the Senate Appropriations Subcommittee on Energy and Water Development May 28.

Improvement Plan in the Works

DOE's 2002 QA improvement plan represents the department's most recent attempt to correct QA problems, including those involving the scientific models and software codes in the computer simulation that DOE will use to demonstrate the safety of the repository. Because DOE is still trying to implement that plan, GAO found it too early to determine whether proposed changes were effective.

However, new QA problems, some identified by DOE, include recurring problems with data that will be used to support DOE's construction authorization application to NRC.

GAO said it remained concerned that "DOE's current efforts to improve its quality assurance program may not yield the results it hopes for," Nazzaro said, citing an NRC comment that "DOE's quality assurance program has yet to produce outcomes necessary to ensure that this program meets NRC requirements."

Nazzaro's testimony (GAO-03-826T) is on GAO's Web site: www.gao.gov. Contact: Robin Nazzaro, (202) 512-3841, nazzaror@gao.gov.

SKULL VALLEY

ASLB Removes One More Obstacle To Opening Utah SF Storage Site

The Nuclear Regulatory Commission's Atomic Safety and Licensing Board (ASLB) issued three separate decisions in late May finding that the **Private Fuel Storage** (PFS) consortium is financially qualified to build, operate and decommission a spent nuclear fuel storage facility on reservation land of the Skull Valley Band of Goshutes in Utah.

With the financial assurance decisions, PFS cleared one more of the remaining hurdles to licensing the facility. The consortium is still pursuing multiple lines of appeal of a March 10 ASLB ruling that the company did not adequately demonstrate that there would be no radiological releases if a military aircraft from a nearby Air Force base were to crash into the storage area. Also, environmental issues associated with a proposed Skull Valley rail spur must be resolved.

Portions of the financial adequacy decisions may be withheld from the public if they are determined to contain proprietary information. NRC will make abridged versions of the decisions available on the Web (www.nrc.gov/reading-rm/adams.html) after PFS members review the decisions. Contact: NRC, (301) 415-8200.

ISFSIs

NRC Proposes to Approve Storage Of High-Burnup Fuel at North Anna

The Nuclear Regulatory Commission (NRC) proposes to approve an amendment to **Virginia Electric and Power Co.'s (Dominion)** license for the North Anna independent spent-fuel storage installation (ISFSI) that would allow the utility to store higher enriched and higher burnup spent fuel in the TN-32 dry casks.

NRC's environmental assessment (EA) found no difference in environmental impacts would result from approving or denying the company's requested changes to Special Nuclear Materials License No. 2507 (Docket No. 72-16).

NRC has posted the amendment request and its EA on the Web at: www.nrc.gov/reading-rm/adams.html. Contact: Mary Jane Ross-Lee, Spent Fuel Project Office, NRC, (301) 415-3781.

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SOUTH AFRICA. State-owned power utility **Eskom Holdings** said in late May it is ready to build and commission the world's first power-producing pebble bed modular reactor (PBMR). Eskom has applied for a nuclear power license and a record of decision on the environmental impact assessment, said chief executive officer Thulani Gcabashe. "We view the PBMR demonstration project as a strategic national demonstration project with the potential to bring major macro economic, social and strategic benefits for South Africa as a whole," Gcabashe said.

Contact: Eskom, +27 11 800 8111, fax: +27 11 800 4338, Web site: www.eskom.co.za.

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| DOE COMPLEX |
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Hanford**Washington Still Dissatisfied With Analyses in Revised EIS**

DOE's revised draft environmental impact statement (EIS) on management of radioactive and solid waste at Hanford is better than its predecessor, but it still does not satisfy Washington, state Ecology Director Tom Fitzsimmons said June 11.

The state submitted extensive comments to the document in the closing hours of the comment period. The EIS is intended to support decisions on building new waste-treatment and disposal facilities at the Richland, Wash., area nuclear weapons plant.

More Study of Consequences Needed

Fitzsimmons called the revision an improvement over the August 2002 draft, but added that "it still doesn't adequately analyze all of the potential environmental consequences necessary to satisfy our state cleanup requirements."

Ecology's concerns with the EIS include:

- Its failure to adequately analyze the effects of transporting waste to Hanford from other DOE sites. As an example, Fitzsimmons cited the use of outdated census data and the lack of a thorough assessment of potential terrorist activities.
- Projections of the amounts of waste that may be treated, stored and disposed are incomplete.
- Analysis of long-term spread of contamination is based on incomplete information about how contaminants move through soil and ground water.
- Sufficient analyses of how DOE proposes to mitigate environmental harm from ground water contamination are lacking.
- Analysis of environmental risks from previously disposed waste are limited.

If DOE does not address the state's concerns in the final EIS, Washington may require additional environmental analyses before issuing future waste management permits, he said.

Ecology has posted its comments at: www.ecy.wa.gov/programs/nwp/pdf/sweiscom.pdf. Contact: Tim Hill, Ecology, tihi461@ecy.wa.gov.

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OAK RIDGE. The DOE Information Center has set up a Web site (www.oakridge.doe.gov/info_cnr) to serve as a centralized source of publicly available documents from DOE Oak Ridge. Contacts: Walter Perry, DOE, (865) 576-0885, or Pat Halsey, DOE, (865) 576-4025.

Paducah**DOJ Goes after Lockheed Martin For Paducah Waste Violations**

The Department of Justice (DOJ) will join a lawsuit against a **Lockheed Martin Corp.** subsidiary alleging that the company illegally stored and disposed of radioactive and hazardous waste and defrauded the government while the company was a contractor at DOE's gaseous diffusion plant in Paducah, Ky.

The lawsuit originally was filed four years ago by a plant worker, two retired employees and the Natural Resources Defense Council (NRDC) in a federal court in Kentucky [*U.S. ex rel. Natural Resources Defense Council, et al., v. Lockheed Martin Corp., et al., Civil Action No. 5:99CV00170-M (W.D. Ky.)*].

Egan: Government Support is Important

"We're extremely pleased that they're intervening," said Joseph Egan, who represents the workers and the environmental group. "In a case like this, it's very important to have the resources of the government behind you."

From 1984 to 1998, **Lockheed Martin Energy Systems** and its predecessors operated the uranium enrichment plant for DOE.

The lawsuit alleges the company violated environmental laws by dumping radioactive waste and hazardous materials in landfills.

Additionally, the suit says the company submitted false claims to the government to illegally obtain fees it did not deserve.

"We strongly believe that the allegations are without merit," Lockheed Martin said.

DOJ will support two of the lawsuit's allegations: that the company misled the government about how it protected workers from radiation and that the company introduced radioactively contaminated metals into interstate commerce.

Contact: DOJ, (202) 616-2777.

Rocky Flats**Removal of Last Filters Takes Bldg. 771 Off Criticality Risk List**

When workers successfully packaged and removed the last highly radioactive filters from Building 771 at a former nuclear weapons production facility in Golden, Colo., they also removed the building from DOE's list of facilities with enough nuclear material on site that an accidental criticality is possible.

(Continued on p. 116)

Building 771 (Cont. from p. 115)

A DOE criticality evaluation I determined that the plutonium levels in the facility now have been reduced to amounts below those physically necessary to produce a critical reaction, DOE said.

When DOE ceased weapons production at Rocky Flats in 1994, Building 771 housed more than 15,000 liters of plutonium and nitric acid solutions in process piping, tanks and four-liter bottles stored in glove boxes. More than 50 kilograms of plutonium hold-up remained in the building's air ducts, filter plenums and other process equipment.

Massive Decontamination Completed

Decontamination involved draining plutonium solutions and removing and packaging for disposal 249 contaminated glove boxes, 397 tanks and miles of contaminated piping.

"The state of Building 771 was the most dangerous on site, perhaps anywhere in the country, from a criticality perspective, because nowhere else was such a substantial amount of plutonium present in liquid form," said Howard Gilpin, contractor **Kaiser-Hill's** safety manager for Building 771.

DOE expects to begin demolition work at Building 771 next year. *Contact:* Patrick Etchart, DOE Rocky Flats, (303) 966-7547.

Hanford**Most K-Basin Fuel Now Moved To High Ground, Deadline Met**

The Department of Energy's former nuclear weapons site at Hanford, Wash., and its major contractor, **Fluor Hanford**, have removed more than 60 percent of the deteriorating spent nuclear fuel from the K-Basins and transferred it to dry storage away from the Columbia River.

Fluor completed removal of more than 1,252 metric tons (2.76 million pounds) of spent nuclear fuel by the end of May, thus meeting a milestone in the Tri-Party Agreement with the state and the Environmental Protection Agency.

More than 200 Overpacks Filled

So far, 237 Multi-Canister Overpacks (MCOs) have been filled. Each holds about 290 fuel assemblies and weighs five metric tons.

DOE opted for the dry storage system because the basins holding the fuel are located about 400 yards from the river.

Contact: Michael Turner, Fluor Hanford, (509) 376-2472, michael_j_turner@rl.gov.

Rocky Flats**K-H Awards Jacobs D&D Contract On Bldg. 444 Manufacturing Site**

DOE and its prime contractor have awarded **Jacobs Engineering Group Inc.** a \$36 million contract for decontamination and demolition of Building 444 at the old Rocky Flats nuclear weapons facility in Golden, Colo. Work will take place in fiscal year 2004.

The 161,980-square-foot Building 444 housed specialty manufacturing facilities for nuclear weapons components.

Kaiser-Hill Co., DOE's prime contractor on the Rocky Flats Closure Project, selected Jacobs, in part, because of the experience Jacobs already had gained at the building through an earlier contract for removal of more than one million pounds of equipment, according to Jacobs. *Contact:* Sherry Sweitzer, Jacobs, (626) 578-6992.

WIPP**Proposed Permit Changes Cover New Containers, New Waste Types**

The New Mexico Environmental Department will take comments until **July 14** on DOE's proposed hazardous waste permit modifications for the Waste Isolation Pilot Plant (WIPP).

Requested changes include:

- Removal of three underground booster fans deemed to be unneeded;
- Packaging-specific drum age criteria for newly approved waste disposal containers (direct-loaded 85-gallon drums, 100-gallon drums and direct-loaded 10-drum overpacks);
- Addition of several hazardous waste codes to the WIPP permit to allow receipt of waste from Rocky Flats that has been assigned these codes;
- Establishment of compliance criteria for headspace gas volatile organic concentration values for characterization of containers from Los Alamos holding sealed sources;
- Removal of the requirement that Los Alamos test transuranic (TRU) waste for formaldehyde in light of recent data showing that Los Alamos' TRU waste does not contain formaldehyde; and
- Authorization of additional waste panels, because WIPP is disposing of waste faster than anticipated and will need to open more panels.

Details of the requested permit modification are posted on the Web: <http://www.wipp.ws>. *Contact:* Steve Zappe, NMED, (505) 428-2517, fax: (505) 428-2567, steve.zappe@nmenv.state.nm.us.

DOE Plans New Cleanup Contracts For Paducah, Portsmouth Plants

DOE plans to award new cleanup and remediation contracts for the old gaseous diffusion plants in Paducah, Ky., and Portsmouth, Ohio.

Contracts at both sites are due to expire in September — they will be extended six months, then terminated.

DOE will issue a sources-sought notice in Federal Business Opportunities by mid-June, and expects to award the contracts by next year.

Two contracts will be awarded at each site, a cleanup and remediation contract and an infrastructure and maintenance contract.

Cleanup activities will include remedial action and source term removal to prevent the spread of contamination; legacy waste storage, treatment and disposal; and soil and ground water remediation.

DOE will manage the new contracts through its new Lexington, Ky., office, which will provide a single source of leadership for cleanup activities in Ohio and Kentucky, said Jessie Roberson, assistant secretary of energy for environmental management.

Contact: Doline Hatchett, DOE, (202) 586-5806.

NNSA Proposes New Pit Production; Considers Five Possible Locations

DOE's National Nuclear Security Administration (NNSA) has issued a draft supplemental programmatic environmental impact statement (PEIS) on possible construction of a new facility to produce plutonium pits for nuclear weapons.

Since 1989, DOE has been without the capability to produce certified plutonium pits, an essential nuclear weapons component.

NNSA currently is establishing a small interim capability at Los Alamos National Laboratory, but classified analyses have indicated that long-term support of the U.S. nuclear weapons stockpile will require a long-term pit production facility.

Final PEIS Will Name Preferred Site

NNSA prepared the PEIS on the so-called Modern Pit Facility (MPF) in order to decide:

- Whether to proceed with MPF; and
- If the facility is determined to be needed, where it should be sited.

The PEIS evaluates environmental impacts associated with constructing and operating an MPF at each of five sites: Los Alamos, N.M.; the Nevada

Test Site; Carlsbad, N.M.; the Savannah River Site, Aiken, S.C.; and the Pantex Site, Amarillo, Texas.

DOE's preferred alternative is to build a new MPF, but a preferred site will not be identified until the final PEIS.

Energy Secretary Spencer Abraham expects to issue a record of decision by April 2004. If a new facility is built, NNSA expects to start manufacturing plutonium pits by 2020.

The PEIS is available on the Web at: www.mpfeis.com. Comments are due **Aug. 5**.

NNSA will hold public meetings in Amarillo, Texas (**June 26**); Carlsbad, N.M. (**June 30**); Los Alamos, N.M. (**July 1**); University of Nevada-Las Vegas (**July 2**); Aiken, S.C. (**July 7**); and Washington, D.C. (**July 16**).

Contact: Jay Rose, NNSA, MPF EIS document manager, (800) 832-0885, ext. 65484, fax: (202) 586-5324, e-mail: james.rose@nnsa.doe.gov.

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INEEL. The Idaho Completion Project transported the first shipment of spent nuclear fuel from the Power Burst Facility to dry storage at the Idaho Nuclear Technology and Engineering Center's Irradiated Fuel Storage Facility. Prime contractor **Bechtel BWXT Idaho LLC** plans to make a total of 23 such shipments in 2003. *Contact:* Bruce Byram, INEEL, (208) 526-3127, byrabj@inel.gov, Web site: www.inel.gov/environment.

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WEST VALLEY. Comments are due by **June 30** on the draft environmental impact statement (EIS) for waste management at the former civilian spent fuel reprocessing facility in West Valley, N.Y., now being cleaned by DOE.

DOE's preferred alternative is to ship radioactive wastes that are either currently stored at West Valley, or will be generated over the next 10 years, to off-site disposal and to continue managing its on-site waste storage tanks.

The draft EIS evaluates potential environmental consequences for various waste management alternatives. Under one alternative, TRU would be shipped for interim storage to one of five DOE sites: Hanford, Idaho National Engineering and Environmental Laboratory, Oak Ridge, Savannah River or the Waste Isolation Pilot Plant.

The draft *West Valley Demonstration Project (WVDP) Waste Management Environmental Impact State, Cattaraugus County, N.Y.*, DOE/EIS-0337D, and a summary are available through DOE's West Valley Web site: www.wv.doe.gov.

Contact: Daniel Sullivan, DOE West Valley, (800) 633-5280.

ORPHAN SOURCES

GAO, DOE Spar Over Adequacy Of DOE Source Recovery Effort

The congressional General Accounting Office (GAO) and DOE have squared off over the adequacy of DOE's efforts to recover and manage unwanted or abandoned greater-than-class-C sealed radioactive sources.

These sources, if obtained by terrorists, could be used to make "dirty bombs," which disperse radioactive material by a chemical explosion. They also pose the risk of accidental death or serious injury if they are improperly handled or breached.

In mid-May, GAO charged that the lack of money and a central storage site have seriously hampered DOE's efforts to recover thousands of such sources once held by hospitals, universities, research centers and private industry.

GAO pointed out that DOE estimates it will recover about 14,300 sources by the end of fiscal year (FY) 2010 at a cost of \$69 million. This estimate rests on three assumptions: a permanent disposal facility will be available by FY '07; the Off-Site Source Recovery Project's operations will be phased out between FY '07 and FY '10; and after FY '10, all sealed sources will be sent directly to a disposal facility.

GAO: Project Is Low Priority

However, the project faces three serious problems, GAO found:

- It is not a priority with DOE's Office of Environmental Management because it does not conform to the office's core mission. The project did not receive full funding, even after the Sept. 11, 2001, terrorist attacks;

- DOE cannot recover any additional sealed sources containing plutonium-239 because the project already has run out of storage space at Los Alamos that meets security standards; and

- DOE has not approved a means for storing sources containing strontium-90 and cesium-137 until a permanent disposal facility is available.

DOE, however, countered the GAO report by arguing that GAO failed to consider the department's substantial progress, as well as a major interagency initiative between DOE and the Nuclear Regulatory Commission (NRC).

Working with NRC, DOE has recovered and secured 6,000 sources, including 1,600 in FY '03, DOE sources said. Since Sept. 11, DOE has recovered 4,451 sources.

A joint DOE-NRC interagency report that DOE released in the wake of the GAO report "was thoroughly discussed with GAO representatives, but they refused to adequately consider it in their own report," according to DOE.

GAO's report, *Nuclear Nonproliferation: DOE Action Needed to Ensure Continued Recovery of Unwanted Sealed Radioactive Sources*, GAO-03-483, is available at: www.gao.gov/cgi-bin/getrpt?GAO-03-483. The report of the DOE/NRC interagency working group, *Radiological Dispersal Devices: An Initial Study to Identify Radioactive Materials of Greatest Concern and Approaches to Their Tracking, Tagging and Disposition*, is available at: www.energy.gov/press/RDDRPTF14MAY.pdf.

Contacts: Gene Aloise, GAO, (202) 512-3841, aloisee@gao.gov; Joe Davis, DOE, (202) 268-4940.

NEWS BRIEFS

- **CBRN Escape Respirators.** The National Institute for Occupational Safety and Health (NIOSH) of the Centers for Disease Control and Prevention (CDC) will hold the latest in a series of conceptual discussions of standards and testing processes for escape respirator standards suitable for respiratory protection against chemical, biological, radiological and nuclear (CBRN) agents, **June 25** in Canonsburg, Pa.

The latest version of the CBRN concept paper has been posted on NIOSH's National Personal Protective Technology Laboratory Web site: www.cdc.gov/niosh/npptl. A June 15 concept paper will be the basis for meeting discussions. *Contact:* Event Management, (304) 285-4750, fax: (304) 285-4459; e-mail: confserv@netl.doe.gov.

- **Transportation.** Harmonization of the International Atomic Energy Agency (IAEA) regulations for the safe transport of radioactive material is on the agenda for the United Nations' (UN) Subcommittee of Experts on the Transport of Dangerous Goods (UNSCOE), **June 30-July 4** in Geneva. The agenda is posted on the UN Transport Division's Web site: www.unece.org/trans/main/dgdb/dgsubc/c32002.html.

The U.S. Department of Transportation's Research and Special Programs Administration (RSPA) will hold two public meetings to prepare for the UNSCOE meeting, **June 18** and **July 16** in Washington, D.C. For meeting information, *contact:* Bob Richard, RSPA, international standards coordinator, or Duane Pfund, assistant coordinator, at (202) 366-0656, or see Web site: <http://hazmat.dot.gov/instandards.htm>.

NUCLEAR REGULATORY COMMISSION

NRC Seeks Input on Revisions To License Renewal GEIS

Waste management is likely to play a prominent role in discussions of the Nuclear Regulatory Commission's proposed updates to its *Generic Environmental Impact Statement (GEIS) for License Renewal of Nuclear Plants*, NUREG-1437, originally issued in 1996.

The GEIS assesses the overall scope and impact of environmental affects associated with license renewal at any nuclear plant site. NRC prepares separate supplements to the GEIS to assess specific issues at individual plants when that plant submits a license renewal application.

NRC has posted the GEIS, its 1999 addendum and subsequent site-specific supplements on the Web at: www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1437/. The four public meetings will be held **July 8** (Atlanta), **July 10** (Oak Lawn, Ill.), **July 15** (Anaheim, Calif.) and **July 17** (Boston). Comments on proposed updates are due **Sept. 2**.

NRC will compile a summary of conclusions and significant issues and send copies to everyone who participated in the scoping process. A summary will be posted at: www.nrc.gov/reading-rm/adams/web-based.html. NRC will hold additional public meetings after it prepares the draft GEIS revisions. *Contact:* NRC, (301) 415-8200.

Spent Fuel Facilities Face Tighter Emergency Reporting Requirements

NRC is tightening its notification and reporting requirements for safety and security events at independent spent fuel storage installations (ISFSIs) and spent fuel monitored retrievable storage (MRS) facilities (10 CFR 72 and 73).

In a June 5 final rule, NRC changed several reporting requirements to ensure that licensees promptly notify NRC and state officials of safety-related events or conditions.

Under the new rule, licensees must notify NRC "immediately" of a fire or explosion that affects the integrity of either the spent fuel/high-level waste or its container, rather than within four hours.

The changes are designed to improve NRC's ability to respond to deteriorating conditions at a licensee facility during an emergency.

The final rule also adds a requirement that a licensee notify NRC within four hours after discovering any event or situation involving spent nuclear

fuel or high level waste related to the protection of public health and safety, onsite personnel or the environment if a news release is planned or other governments have been notified.

Followup Requirements Changed

NRC also is revising written followup notification requirements for security-related events involving reactor facilities, fuel cycle facilities, ISFSIs, MRS facilities, geological repositories, gaseous diffusion plants and licensees who transport spent fuel or special nuclear material.

The proposed rule was published Aug. 22, 2002. None of the comments opposed NRC's proposed modifications to the reporting requirements. NRC published the final rule in June 5 *Federal Register*, pp. 33611-33617. The final rule takes effect **Oct. 3**.

Contact: Mark Haisfield, NRC, (301) 415-6196, MFH@nrc.gov.

ISFSIs, Fuel and Materials Facilities, D&D Sites Face Higher NRC Fees

Independent spent fuel storage installations, decommissioning nuclear facilities, fuel facilities and rare earth facilities, as well as operating nuclear reactors, face increased NRC licensing, inspection and annual fees in fiscal year (FY) 2003.

NRC will publish its final rule amending 10 CFR 170 (licensing and inspection fees) and 171 (annual fees) in the *Federal Register* by mid-June. The proposed rule was published in April (*NWN*, April 10, p. 85).

NRC must recover through fees \$526.3 million, or 94 percent of its FY'03 budget, in addition to the \$24.7 million Congress appropriated from the Nuclear Waste Fund for activities related to the proposed repository at Yucca Mountain, Nev.

Contacts: Robert Carlson, NRC, (301) 415-8165, or Ann Norris, NRC, (301) 415-7807.

NRC Offers Guidance on Application Of Backfit Rule to Fuel Cycle Sites

NRC's Office of Nuclear Material Safety and Safeguards (NMSS) has drafted guidance for NRC staff on applying 10 CFR 70 backfit requirements to fuel cycle facilities.

NRC posted the draft, *NMSS Policy and Procedures Letter (P&PL)1-82: 10 CFR Part 70 Backfit Guidance* at: www.nrc.gov/reading-rm/adams.html, accession number ML030730680. Comments are due **July 11**. *Contact:* Billy Gleaves, NMSS, (301) 415-5848, bcg@nrc.gov.

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| NRC BRIEFS |
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COVANCE LABORATORIES INC. NRC is considering issuing an amendment to Byproduct Material License No. 48-11805-02 authorizing Covance to release its Deming Way facility in Madison, Wisc., for unrestricted reuse. The facility used tracer quantities of tritium and carbon-14, and niobium-63 foil or plated sources for gas chromatography. NRC has posted its March 13 environmental assessment (accession no. ML031330660) on the Web at: www.nrc.gov/reading-rm.html. *Contact:* Peter Lee, NRC Region III, Division of Nuclear Materials Safety, (630) 829-9870, pjl2@nrc.gov.

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ENFORCEMENT. The Region IV NRC staff have proposed a \$6,000 fine against **Global X-Ray and Testing Corp.**, Morgan City, La., for violations of NRC radioactive materials requirements. The action stemmed from a February incident in which a radiographer and assistant radiographer working on an off-shore oil rig fell asleep, leaving a sealed source "unsecured and uncontrolled" in an open area. NRC will post the violation and the company's response at www.nrc.gov/reading-rm/adams.html. *Contact:* Bruce Mallet, NRC Region IV, (404) 562-4411.

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LINGUAGEN CORP. NRC proposes to approve an amendment request to Materials License No. 29-30560-01 that would allow the company to release for unrestricted reuse its Paramus, N.J., facility, where it formerly used radioactive materials for research (Docket No. 030-35334). NRC posted its environmental assessment and related documents on the Web at: www.nrc.gov/reading-rm/adams.html, accession numbers ML031550264, ML030080404, ML030430589, ML030650126, ML030690328 and ML030630684. *Contact:* Judy Joustra, NRC Region 1, (610) 337-5355, fax: (610) 337-5269.

* * *

REGION IV. NRC has named health physicist Bruce Mallet regional administrator. Mallet was formerly deputy regional administrator in Region II. *Contact:* NRC, (301) 415-8200.

* * *

RISK MODELING. NRC will meet with stakeholders **June 17** in Rockville, Md., to discuss new human reliability analysis (HRA) techniques to support standardized risk models. HRA addresses the need to account for human errors when performing safety studies, reviewing special issues or risk-inform oversight and regulation. The agenda is available at: www.nrc.gov/reading-rm/adams/web-based.html, accession number: ML031540023. *Contact:* Erasmia Lois, NRC, (301) 415-6560.

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| LLRW COMPACTS |
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S.C. Board Approves Barnwell LLRW Disposal Fee Revisions

Low-level radioactive waste (LLRW) generators using the Barnwell, S.C., disposal facility face increased fees under rate schedules approved by the South Carolina Budget and Control Board.

New rates for generators within the three Atlantic Compact States (South Carolina, Connecticut and New Jersey) went into effect June 1. New out-of-compact rates go into effect July 1.

The new in-compact base rates are: \$315 per cubic foot for Class A waste; \$350/ft³ for Class B and \$375/ft³ for Class C. A compact surcharge will be added in all cases.

In-compact generators also have the option of selecting a volume discounted program for waste received through June 30, 2004.

Generators who select this option must reserve a specific disposal capacity for Class A waste — at a rate of \$250/ft³ plus compact surcharges — not later than July 15. Generators who select this option also will be able to reserve specified disposal capacity for Class B and C waste at discounted rates.

Generators will pay the discounted rate for any portion of their reserved capacity that remains unused as of June 30, 2004. They also will have the option of shipping additional waste beyond their reserved capacity and paying unreserved fees for the added capacity.

The rate schedule for non-Atlantic Compact generators varies based on the weight and density of the waste. A dose rate multiplier can add almost 50 percent extra charges for waste emitting more than 50R per hour.

Other waste categories subject to additional charges include biological waste, irradiated hardware and special nuclear material.

Rate schedules are posted on South Carolina's official Web site at: www.state.sc.us/energy/llrw_disposal.htm. *Contacts:* William Newberry, South Carolina Energy Office, (803) 737-8037; D'Juana Wilson, Atlantic Compact, (803) 737-1706.

* * *

SE COMPACT MEETING. The compact commission will meet by teleconference **June 30** to adopt a budget for fiscal years 2003-2004. Member state offices will offer opportunities for public participation via speaker phone. The agenda is posted on the compact Web site: www.secompact.org. *Contact:* the compact commission at (919) 821-0500, secc@secompact.org.

SITE REUSE

EPA, GSA Agree to Speed Federal Brownfields Reuse

The Environmental Protection Agency (EPA) and the General Services Administration (GSA) signed a memorandum of understanding (MOU) May 30 in Washington, D.C., to expand redevelopment of federally owned brownfields, including former DOE sites, and other federal facilities that used radioactive materials.

EPA and GSA are among the 28 members of the Brownfields National Partnership, which includes 20 federal agencies — DOE among them — brought together last year to expand the national movement to revitalize abandoned industrial and commercial facilities.

The MOU noted that EPA last year had agreed to provide as much as \$850 million for brownfields over the next five years through assessments, clean-ups, revolving loan funds, job training and state and tribal grants. GSA agreed to jointly review federal real property holdings to identify potential brownfields candidates and expedite their cleanup, redevelopment and reuse.

GSA is the U.S. government agency responsible for purchasing buildings, products and technology for other federal agencies.

Since the brownfields program began in 1995, GSA has awarded 645 grants to assess more than 4,000 brownfields sites and leveraged more than \$4.6 billion in private investments. *Contact:* EPA, Brownfields Cleanup and Redevelopment, (202) 566-2777, fax: (202) 566-2757.

FUSRAP

Corps Picks Preferred Option For St. Louis Airport Cleanup

The St. Louis District of the Army Corps of Engineers has released a “preferred” option for cleaning up nuclear waste material near the St. Louis airport that resulted from the production of material for the early U.S. weapons program.

The District now is analyzing comments on a feasibility study released in May listing several options for addressing the nuclear contamination.

The cleanup effort is part of the federal Formerly Utilized Sites Remedial Action Program (FUSRAP). Soil and sediment analysis has con-

firmed the presence of radium, thorium, uranium and their decay products.

The location is designated the St. Louis North County Site and includes the St. Louis Airport Site (SLAPS), four nearby areas and Coldwater Creek. From 1942 through 1957, a downtown St. Louis location known as the Mallinckrodt facility processed various forms of uranium compounds as part of the Manhattan project. Residues and scraps from the facility were stored near the St. Louis airport.

Later uses of property in the general area of the airport resulted in having some material shipped out of state while other contaminated materials and the remains of razed storage structures that housed exposed materials were buried in the local North County vicinity.

Effort Has Taken More than a Decade

Efforts to address contamination from nuclear materials in the area have been ongoing for more than 10 years. With the advent of the FUSRAP program, which is implemented by the Corps, huge amounts of soils and sediments already have been removed. Parts of the site are on the EPA’s National Priorities List and are covered by Superfund cleanup standards.

The recommendations in the feasibility study are expected to be sufficient to cover any remaining site cleanup objectives and supplement ongoing efforts authorized on an interim basis.

Technically, adoption of the study will move the program into full FUSRAP status upon the issuance of a final record of decision (ROD). Modifications resulting from comments received from the public and local and state agencies will be incorporated into the final ROD as appropriate. The District noted that EPA would be consulted before a final ROD is adopted.

Off-Site Disposal Preferred

“Our goal over the next month is to listen to what the public has to say about the remedial alternatives that are present in this plan. Public input will affect the final remedy,” said Corps program manager Sharon Cotner. The comment period closed May 30 (*Federal Register*, May 1, pp. 23290-23291).

The preferred option emphasizes excavation and dredging for all accessible property. Inaccessible property such as land under roadways, bridges, railroads and other permanent structures will not be removed. If, at a later date, the land becomes accessible, a decision to excavate will be considered. Institutional controls on inaccessible areas are recommended and could include deed restrictions, notices to property owners and zoning restrictions.

(Continued on p. 122)

FUSRAP (Cont. from p. 121)

Different sections of the North County area will receive either short term or long term monitoring as appropriate.

The report recommends that dredging be conducted at Coldwater Creek for sediments below the mean water gradient that exceed certain contamination standards. Dredged material would be disposed of at a designated site.

According to a Corps source, excavation of soils and sediments is preferred versus any type of soil remediation program because the cleaning cost would be prohibitive. The estimated cost of the project is \$223 million.

Contact: Lou Dell'Orco, St. Louis District; (314) 260-3932; Jacqueline Mattingly, program specialist, St. Louis District, (314) 260-3905.

PROFESSIONAL DEVELOPMENT

• **38th Tennessee Industries Week**, Aug. 11-15, University of Tennessee (UT), Knoxville, is a program of short courses for nuclear and other industries prominent in Tennessee. Courses for 2003 include nuclear criticality safety and radiological assessment. Provisions have been made for teleconference attendance at the criticality safety course.

Contact: Kristin England, UT, (865) 974-5048, kengland@utk.edu; Web site: www.engr.utk.edu/nuclear/TIW.html.

• **Euradwaste '04**, March 29-31, 2004, Luxembourg, will cover European Commission (EC) nuclear waste policy, including the proposed directive on spent nuclear fuel and radioactive waste. Other topics include research policy and the establishment of joint undertakings and networks for coordinating and integrating nuclear waste R&D; social and political aspects of nuclear waste policy; and results from the 5th Euratom Framework Programme of research into repository and geologic barrier performance, repository development, large-scale underground experiments, partitioning and transmutation, waste characterization and corrosion.

Contact: Christophe Davies, EC, e-mail: christophe.davies@cec.eu.int, fax: (32 2) 2954991.

KEEP IN TOUCH — *Nuclear Waste News* welcomes your comments, questions and suggestions. Contact: Thecla Fabian, Editor, 8737 Colesville Rd., Suite 1100, Silver Spring, MD 20910-3928; (301) 587-6300, ext. 346; fax: (301) 587-1081; or e-mail: tfabian@bpinews.com.

BUSINESS & TECHNOLOGY

• **BNFL**. Steve Tritch has been named chief executive officer (CEO) of the global Nuclear Utilities Business Group, effective Oct. 1. He will retain his position as president and CEO of subsidiary Westinghouse Electric Co., while adding responsibility for commercial activities at the Sellafield, U.K.-based Thermal Oxide Reprocessing Plant (Thorp) and mixed oxide (MOX) plant, and BNFL's international nuclear transport business. *Contacts:* Vaughn Gilbert, (412) 374-3896 (U.S.) or Janine Claber, 011-441925 832146 (U.K.); Web site: <http://www.westinghouse.com>.

• **Dufrane Nuclear Shielding Inc.** is providing customized reactor head shield enhancements for pressurized water reactors (PWRs) to meet the needs for more detailed remote inspection and maintenance in the wake of the corrosion incident at the Davis-Besse plant in Ohio. So far, the company has designed and supplied multi-segment shield assemblies for three reactors. *Contact:* Dufrane, (860) 589-2098, e-mail: support@dufrane.com; Web: www.dufrane.com.

UTILITY BRIEFS

• **D.C. Cook**. The Nuclear Regulatory Commission (NRC) approved a request by the **Indiana/Michigan Power Co.** to increase the generating capacity at Unit 2 by 1.5 percent, from 1,090 megawatts (MW) to 1,108 MW. *Contact:* NRC, (301) 415-8200.

• **Diablo Canyon**. NRC June 3 approved transfer of the licenses for Units 1 and 2 from **Pacific Gas and Electric Co.** to its wholly owned subsidiary, **Electric Generation LLC**, and **Diablo Canyon LLC**, which in turn is a wholly owned subsidiary of Electric Generation. The transfer and maintenance of accumulated decommissioning funds was among the key issues NRC considered in approving the transfer. NRC's approval order and safety evaluation report is available at: www.nrc.gov/reading-rm/adams/web-based.html, accession number ML031350218. *Contact:* NRC, (301) 415-8200.

• **St. Lucie**. NRC has published the final plant-specific supplement (Supplement 11) to the generic environmental impact statement on plant license renewal (NUREG-1437) for 20-year license renewal for Units 1 and 2. The supplement is available at: www.nrc.gov/reading-rm.html. *Contact:* Michael Masnik, NRC, (301) 415-1191.

END

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