



U.S. DEPARTMENT OF
ENERGY

OFFICE OF
**ENVIRONMENTAL
MANAGEMENT**

EFCOG Review of the draft revised DOE Order 435.1

Linda Suttora
Office of Environmental Compliance, EM-11
EFCOG Meeting, February 2013

EFCOG review

- The EFCOG review resulted in 622 comments: 17 companies provided comments
 - 162 comments on Order
 - 265 comments on the Guides
 - 182 comments on the DAS Technical Standard
 - 13 comments on the TRU Technical Standard – which will now be an attachment to the Order
- DOE provided resolution to each comment

- General Counsel Review of Order nearly complete
- GC will then review revised Guides and Tech Standard
- All will be issued for Public Comment
 - Webinars planned for public review process
- Revcom following revisions based on public input
- Once finalized, several training sessions are being planned to assist in implementation

Interface with NRC revision of 10CFR61

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Revision of 10CFR61

- Commission gave direction to staff and gradually expanded scope:
 - Initiate a limited scope revision to deal with unique wastestreams – primarily depleted Uranium – Commission Direction (March 2009)
 - Identify approach to make Part 61 risk-informed, performance based (July 2010)
 - Include Blended LLW (October 2010)
 - Risk-inform Waste Class Tables, Review comprehensive revision to Part61, Adopt WAC option, Align with international approach, supercede March 2009 direction)
 - Allow ICRP Flexibility, Include 2-tiered approach to period of performance, Allow WAC as alternative to Waste Class Tables 1&2 (January 2012)

NRC Preliminary Proposals

- NRC staff issued 2 versions of **preliminary proposed** rules
 - May 2011, December 2012 (EM commented on both)
- 2012 Regulatory Analysis is insulting and derogatory to other regulators and particularly to DOE
- Recommendations Include :
 - Compliance Period –10,000 years
 - Performance Period – up to a million years
 - Features, Events, and Processes – does not recognize it is just one option for achieving a conceptual site model
 - Inadvertent Intruder – performance objective
 - Defined Long-Lived Waste – interpretation could be broad
 - Performance Assessment – poorly conceived definition
 - Waste Acceptance Criteria –better but not fully risk-informed

Concentration Averaging BTP

- NRC staff issued 2 versions of the Concentration Averaging BTP
 - August 2011, May 2012 (EM commented on both)
- Positive:
 - Improvements for disposal of sealed sources
- Negative:
 - New stylized intruder scenario that is NOT credible
 - Huge focus of ferreting out hot spots in waste package prior to shipping – negates purpose of concentration averaging
 - Don't consider worker safety in analysis, only distant future MOP based on incredible intruder scenario.