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Department of Energy
Idaho Operations Office
850 Energy Drive
Idaho Falls, Idaho 83401-1563

March 1996



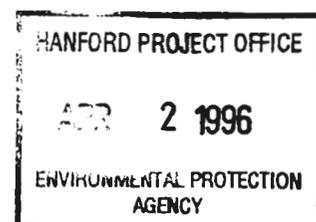
SUBJECT: Transmittal of the Amendment to the Record of Decision for the Department of Energy (DOE) Programmatic Spent Nuclear Fuel Management and Idaho National Engineering Laboratory (INEL) Environmental Restoration and Waste Management Programs Environmental Impact Statement (EIS)

Dear Citizen:

The enclosed Amendment to the June 1995 Record of Decision pertains to management of the DOE's spent nuclear fuel. The Amendment reflects modification which resulted from the Settlement Agreement reached October 16, 1995, by the DOE, the State of Idaho and the Department of Navy.

As a result of the Agreement, the numbers of shipments of spent nuclear fuel to and from several DOE sites, and the resulting inventories at those sites, will differ from those indicated in the original Record of Decision. The Department's current plans are depicted in Tables 1.1 and 1.2.

This document is being furnished for the information of groups and individuals interested in the subject EIS, and it will be placed in reading rooms and information locations. For more information about this Amendment, please contact Roger Twitchell at (208) 526-0776.



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DEPARTMENT OF ENERGY

**Programmatic Spent Nuclear Fuel Management and Idaho National Engineering Laboratory
Environmental Restoration and Waste Management Programs**

AGENCY: Department of Energy

ACTION: Amendment to Record of Decision

SUMMARY: The Department of Energy (DOE) has issued an amendment to the May 30, 1995 Record of Decision on the Programmatic Spent Nuclear Fuel Management and Idaho National Engineering Laboratory Environmental Restoration and Waste Management Programs Final Environmental Impact Statement (60 FR 28680, June 1, 1995). The May 30, 1995 Record of Decision includes a decision to regionalize the management of DOE owned spent nuclear fuel, by fuel type, and also includes decisions concerning environmental restoration and waste management programs at the Idaho National Engineering Laboratory. This amended Record of Decision reflects the October 16, 1995 Settlement Agreement among DOE, the State of Idaho and the Department of the Navy pertaining to spent nuclear fuel shipments into and out of the State of Idaho. The Settlement Agreement was entered as a Consent Order by the U.S. District Court for the District of Idaho on October 17, 1995, which resolved litigation between the State of Idaho and DOE. See, *Public Service Co. of Colorado v. Batt*, No. CV 91-0035-S-EJL (D. Idaho) and *United States v. Batt*, No. CV-91-0065-S-EJL (D. Idaho). This amended Record of Decision does not modify or rescind any of the provisions of the May 30, 1995 Record of Decision, except as discussed below.

ADDRESSES: Copies of the *Department of Energy Programmatic Spent Nuclear Fuel Management and Idaho National Engineering Laboratory Environmental Restoration and Waste Management Programs Final Environmental Impact Statement* (DOE/EIS-0203-F), and the May 30, 1995 Record of Decision are available in the public reading rooms and libraries identified in the *Federal Register* Notice that announced the availability of the Final Environmental Impact Statement (60 FR 20979, April 28, 1995).

For further information on DOE's spent nuclear fuel management program and environmental restoration and waste management programs at the Idaho National Engineering Laboratory or to receive a copy of the Final Environmental Impact Statement, or Settlement Agreement with the State of Idaho, please contact:

U.S. Department of Energy
Idaho Operations Office
Bradley P. Bugger
Office of Communications
850 Energy Drive, MS 1214
Idaho Falls, ID 83403-3189
208-526-0833

For general information on the Department's National Environmental Policy Act (NEPA) process, please contact:

Ms. Carol Borgstrom, Director
Office of NEPA Policy and Assistance, EH-42
U.S. Department of Energy
1000 Independence Ave., SW
Washington, D.C. 20585
202-586-4600, or leave a message at
1-800-472-2756

SUPPLEMENTARY INFORMATION:

Department of Energy Programmatic Spent Nuclear Fuel Management

This amended Record of Decision reduces the number of shipments of spent nuclear fuel into the State of Idaho. As a result, there are differences in the number of spent nuclear fuel shipments and inventories from those listed in Tables 3.1 and 3.2 of the May 30, 1995 Record of Decision. Tables 1.1 and 1.2 of this amendment hereby revise Tables 3.1 and 3.2, respectively, of the May 30, 1995 Record of Decision to show those differences. Table 1.1 shows the origin and interim management destination of specific fuels and the potential number of shipments. One shipment, whether by truck or rail, consists of a single shipping container of spent nuclear fuel. Table 1.2 shows the existing and resulting inventory at DOE's main spent nuclear fuel management locations. The differences include the Fort St.

Vrain fuel and 512 shipments of the Hanford Site fuel. The change regarding Fort St. Vrain spent nuclear fuel shipments implements an explicit provision of the October 17, 1995 Consent Order settling the litigation among the State of Idaho, the Department of Energy, and the Department of the Navy. The change regarding spent nuclear fuel at the Hanford site reflects the Consent Order's general limitation of spent nuclear fuel shipments to the Idaho National Engineering Laboratory. Both the Fort St. Vrain and Hanford spent fuels may be safely maintained at their present locations. (See Volume 1, Appendix A, Section 5.1; Volume 1, Section 3.1.1.7; and Volume 1, Appendix E, Section 4.1.3.2.) There are also refinements in the number of spent nuclear fuel shipments to the Idaho National Engineering Laboratory from Argonne National Laboratory-East, Sandia National Laboratory, the Oak Ridge Reservation, Babcock & Wilcox, and Foreign Research Reactors. This Amendment to the Record of Decision is consistent with DOE's mission of managing its spent nuclear fuel safely and efficiently. The environmental impacts associated with the decisions contained in this Amendment were analyzed in the DOE Programmatic Spent Nuclear Fuel Management and Idaho National Engineering Laboratory Environmental Restoration and Waste Management Programs Final Environmental Impact Statement.

Table 1.1 State-by-state planned shipment destinations and number of shipments.¹

Generator or current storage	Destination ²	
	Idaho National Engineering Laboratory	Savannah River Site
Aerotest (California)	3	
General Atomics (California)	8	
General Electric (California)		4
McClellan Air Force Base (California)	3	
U.S. Geological Survey (Colorado)	6	
Fort St Vrain (Colorado) ³	0	
Idaho National Engineering Laboratory (Idaho)		114
Argonne National Laboratory - East (Illinois)	6	
Armed Forces Research Institute (Maryland)	3	
National Institute of Science and Technology (Maryland)		185
DOW Corp. (Michigan)	3	
Veterans Medical Center (Nebraska)	2	
Los Alamos National Laboratory (New Mexico)		17
Sandia National Laboratory (New Mexico) ⁴	11	15
Brookhaven National Laboratory (New York)		71
West Valley Demonstration Project (New York)	83 ⁵	
Savannah River Site (South Carolina)	121	
Oak Ridge Reservation (Tennessee) ⁴	14	68
Babcock & Wilcox, Lynchburg (Virginia)	5	
Hanford Site (Washington)	12 ⁶	
Foreign Research Reactors (various) ^{4,7}	162	838
Navy	575	

Table 1.1 State-by-state planned shipment destinations and number of shipments. ¹		
Generator or current storage	Destination ²	
Universities (various) ⁴	116	403
TOTAL	1,133	1,715

¹ The number of shipments analyzed in the Final Environmental Impact Statement, including either truck or rail shipments.

²The Hanford Site would not receive any additional fuel.

³No shipments for storage, but shipments may be needed for treatment for disposal.

⁴The specific distribution would be based upon the fuel type (i.e., cladding material).

⁵For West Valley Demonstration Project spent fuel, 7 rail shipments would be equal to 83 truck shipments.

⁶This represents the sodium-bonded Fast Flux Test Facility fuel.

⁷A policy decision on acceptance of foreign research reactor spent nuclear fuel will be made after completion of a separate environmental impact statement.

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Decision and Approval.

The Atomic Energy Act of 1954 (42 U.S.C. §2011 et seq.) and the Department of Energy Organization Act (42 U.S.C. §7101 et seq.) establish the Department's responsibility for the management of its spent nuclear fuel. The decision process reflected in this document complies with requirements of the National Environmental Policy Act (42 U.S.C. §4321 et seq.) and its implementing regulations at 40 CFR Parts 1500-1508 and 10 CFR Part 1021. These decisions affect activities under the authority of the U.S. Department of the Navy, and the Navy was a cooperating agency in the preparation of the Environmental Impact Statement. Pursuant to 10 CFR §1021.315, the Department of Energy may revise the Record of Decision at any time, so long as the revised decision is adequately supported by an existing environmental impact statement. Implementation of the Record of Decision as amended is subject to compliance with all applicable federal statutes, regulations and orders, including the Anti-Deficiency Act.

Issued in Washington, D.C., this 28th day of February 1996.



Hazel R. O'Leary
Secretary of Energy

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