

June 19, 1997

MEMORANDUM TO: L. Joseph Callan
Executive Director for Operations

FROM: John C. Hoyle, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - SECY-97-096 - MEMORANDUM
OF UNDERSTANDING AND INTERAGENCY AGREEMENT
BETWEEN THE U.S. DEPARTMENT OF ENERGY AND THE
U.S. NUCLEAR REGULATORY COMMISSION ON THE
CLOSURE OF HIGH-LEVEL WASTE STORAGE TANKS AT
THE SAVANNAH RIVER SITE

The Commission has approved the Memorandum of Understanding (MOU) and Interagency Agreement between DOE and the NRC on the closure of the high-level waste (HLW) storage tanks at the Savannah River site, subject to the comments and changes noted below.

(EDO) (SECY Suspense: 6/30/97)

In applying the criteria by which residual waste might be classified as incidental, the staff should fully consider potential risks and doses to workers and members of the public, as well as the costs, that could result from characterization and alternate disposal of the waste. The staff should also consider the applicable statutes and regulations (e.g., the Atomic Energy Act, the Energy Reorganization Act, the NWPA, the codified version of Part 50, Appendix F, etc.) governing NRC responsibility and authority regarding high-level waste.

The following changes should be made to the MOU and the Interagency Agreement:

- 1) On page 1 of Attachment A to the Interagency Agreement, in paragraph 1.1, line 8, insert "to" after the word "regard."
- 2) On page 1 of the MOU, in the first paragraph, line 3, delete the word "staff."

SECY NOTE: THIS SRM, SECY-97-096, AND THE COMMISSION VOTING RECORD CONTAINING THE VOTE SHEETS OF ALL COMMISSIONERS WILL BE MADE PUBLICLY AVAILABLE 5 WORKING DAYS FROM THE DATE OF THIS SRM.

- 3) On page 1 of the MOU, in the third paragraph, next to the last line, replace "HLW" with "High-level liquid radioactive waste." In the last line, replace "include" with "address."
- 4) On page 3 of the MOU, in Section B, add item 5:
"DOE-SR will provide office space as necessary to accommodate NRC visits to the SR site and will coordinate attendance of all parties to any reviews requested by the NRC. Close coordination between the NRC and DOE-SR is essential to timely project completion."
- 5) On page 4 of the MOU, in Section V, add item F: "The NRC will be reimbursed for the cost of activities within the scope of this MOU, as provided for in the Interagency Agreement which implements this MOU."

The staff should carefully monitor the Quarterly Financial Reports for potential cost overruns.

cc: Chairman Jackson
Commissioner Rogers
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
OGC
CIO
CFO
OCA
OIG
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR
DCS