

DOE - no treatment capacity + storage prohibition
Congress - passed law took auth from Region + gave to state
make a compliance agreement w/ the state

April 6, 1993 FR Notice Regarding Schedule for Submitting Plans for Treating Mixed Waste ^{no must} prepare an inventory and ^{existing} treatment baseline capacity

Background

- (2) DOE's plan of attack for implementing act
For mixed waste subject LDR
- Revised Act requires development of Site Treatment Plans with schedules for achieving compliance with LDR storage prohibitions
 - Contents of Plan:
 - 1) For waste for which identified treatment technologies exist, schedules must be presented for permitting, construction, and processing.
 - 2) For waste with no current identified treatment technologies, a plan for identifying and developing technologies must be presented.
 - The Act does provide for consideration of centralized, regional, or onsite treatment of mixed waste, or any combination thereof.
 - Plan would be subject to NMED approval and formalized through a compliance order.
 - Sovereign Immunity (3 year grace period for LDR Mixed Waste requirements if otherwise in compliance)
 - Also the Act requires that a 180 day inventory report must be prepared (was issued in late April) which describes inventory of mixed waste volumes and types and current DOE treatment capacities and technologies.

Contents of the FR Notice

- A table listing all sites which currently or are expected to store and/or generate mixed waste.
- Discussion of Atomic Energy Act mixed waste (source, ^{spud} spent nuclear, and by-product material) versus non-AEA radioactive waste mixed with hazardous waste (naturally occurring, accelerator-produced material) and DOE's intent to include it in these planning efforts.
- General principles behind developing Site Treatment Plans:
 - o Proposed schedule for plan development allows for early interaction with States
 - o Time is scheduled for discussion on equity issues



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Get an approved plan by NMED and
formalizes into a compliance order
Centralized/Regional Treatment Centers

Programmatic EIS
Regional Treatment

April 22

TC

- o Sites farther along with plans can submit them to the States earlier
- o There is intent to work out as many local and national issues as possible before final plans are submitted
- o There will be coordination with the Programmatic Environmental Impact Statement (which again supports regional/centralized treatment facilities)
- o DOE proposes to provide greater public involvement than required by the Act

- Schedule: *Generic for entire nation*

*Given to NMED
at FFEA mtg.*

- o By October 1993 - submit Conceptual Plan
- o No later than August 1994 - Draft Plan
- o No later than February 1995 - Final "Proposed" Plan
- o Two additional interim plans will also be provided for discussion and comment
- o Nothing precludes a site from submitting a plan earlier than the schedule above.

LAAO/LANL's Approach

- The draft Federal Facility Compliance Agreement is currently intended to be our Site Treatment Plan (other sites are modeling their conceptual plans after ours).
- The current draft does not recognize any need or intent to treat offsite waste.
- Some changes could possibly occur per DOE/HQ directive if LANL is proposed to be regional treatment facility for certain waste streams.

Next Step

- Meeting in Salt Lake City next week to present the proposed schedule to regulators (Nick Dienes, AL/WMOSD, will present the AL information to NMED).

A00

*Abx Operations Office
Representative*

AEA waste - Source spent by Product - DOE

NORM - accelerator produced (LAMP) - not recognized
as MW included in inventory for the purpose
of agreement - treat same