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Subject:

Coalition 21 DPEIS Comments

COMMENTS ON STORAGE AND DISPOSITION OF WEAPONS-USABLE FISSILE MATERIALS DRAFT PEIS - 21/96-03RK

Coalition 21 is a recently organized stakeholders group focusing on the future of technology in Idaho for the 21st century. These comments on the subject draft PEIS are submitted on behalf of our growing number of members. Our ID number for this comment document is 21/96-03RK.

1. The environmental impacts on the INEL from the various alternatives, particularly the ones likely to be implemented there, are acceptable and not likely to exceed significantly the impacts of existing/ongoing activities. This conclusion is based on the experience of our membership rather than on the PEIS Summary document, which we find seriously flawed as a clear explanation of the various alternatives and their environmental consequences (see comment 13 below). 1/08.03.01

2. Whenever environmental consequences are not a deciding factor, other factors must be considered in reaching rational decisions. Coalition 21 advocates safe, technically sound and proliferation-resistant choices that are fiscally responsible and consistent with Idaho's 1995 Nuclear Waste Agreement. Only then do we advocate their location at the INEL. 2/08.03.00

3. HEU storage should be consolidated at Oak Ridge, where HEU has been produced for many years and where about two-thirds of the current inventory is stored. 3/01.04.00

4. Some of the discussion and much of the media coverage of the April 15 public hearing in Idaho Falls focused on whether plutonium is a waste or not. Coalition 21 believes that plutonium becomes a waste only if DOE does not put it to beneficial use prior to final disposition. Accordingly we support the general concept of consolidated long-term storage at PANTEX where about two-thirds of the current inventory exists. However, we prefer the No Action alternative for INEL plutonium, if current or reasonably likely future programs at ANL-W can put it to beneficial use. If those programs do not materialize, the plutonium must be removed by the year 2018, consistent with the transuranic waste provisions of the 1995 Nuclear Waste 4/09.11.08 5/08.03.01 6/08.03.01 7/08.03.00

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08 03 01 **Comment Number 1**

The Department of Energy acknowledges the commentor's support for additional missions at INEL. Based on comments received, the Summary of the PEIS was revised and now includes the Preferred Alternative. The bar charts (figures) providing the comparison of impacts for both storage and disposition were deleted from the Summary. The related text was revised to clearly describe the alternatives and clarify the comparison of impacts.

08 03 00 **Comment Number 2**

The Department of Energy acknowledges the commentor's support of new missions at INEL if they are fiscally responsible and consistent with the 1995 *Nuclear Waste Agreement* (October 17 Settlement Agreement/Consent Order).

01 04 00 **Comment Number 3**

Comment noted. The *Disposition of Surplus Highly Enriched Uranium Final Environmental Impact Statement* (HEU EIS) assumed that all HEU would be transferred to ORR for storage pending a decision on long-term storage. Continued storage at ORR for the "long-term" is one of the alternatives analyzed in the PEIS. Facilities at other sites are included in the PEIS analyses since they are also "reasonable" storage alternatives and, therefore, must be considered according to NEPA. The Preferred Alternative for storage is identified in Chapter 1 of the Final PEIS.

09 11 08 **Comment Number 4**

The Department of Energy acknowledges that, in accordance with 40 CFR 261.4, "Source, special nuclear or by-product material as defined by the *Atomic Energy Act* (AEA), as amended, 42 U.S.C. 2011 et. seq." is not a "solid waste" under RCRA. Section 1.1.1 outlines the materials that fall within the scope of this PEIS.

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Agreement. 7/08.03.00 cont.

5. The National Academy of Sciences study established the "Spent Fuel Standard" as a criterion by which to judge disposition alternatives. One assured way of meeting that standard is to incorporate the plutonium in LWR fuel and then use that fuel to high burnup. Disposal of plutonium through such burnup use in commercial power reactors provides a real "peace dividend" for weapons usable materials. Coalition 21 therefore supports the Reactor category of disposal alternatives.

6. Commercial reactors already produce considerable plutonium, concurrent with burning it up via the fission process. A number of commercial nuclear plants including WPPSS-2 have expressed an interest in using weapons plutonium in their plant. In this instance Coalition 21 recognizes that the environmental consequences (and financial costs) of the Existing LWR alternative are less than those of other Reactor alternatives. 8/08.03.01

7. The Evolutionary LWR alternative would allow the US to build here one or more of the advanced US designs already being built and tested overseas. It would prevent this technology and industrial base from completely escaping to our overseas competitor nations and would help to ensure a future role for nuclear power in a growing economy that is less dependent on foreign oil. We support this Reactor alternative. The INEL would be an acceptable site, but we do not advocate location at INEL because a new large commercial reactor (even half-size) should be built near load centers, and in conjunction with a utility that already operates nuclear power plants.

8. However, INEL would benefit indirectly from the selection of any Reactor alternative through INEL's continuing technical (and possibly safety testing) support to the Nuclear Regulatory Commission. DOE should provide sufficient financial support to ensure that the underlying technology and core competencies are maintained at INEL, the primary reactor testing facility and designated engineering laboratory for DOE. 9/08.03.01 This INEL mission should be clearly delineated in the Strategic Laboratory Missions Plan now being prepared by DOE. Coalition 21 is commenting separately on the draft plan. 10/15.00.00

9. Coalition 21 supports the location of the MOX fuel fabrication facility at the INEL, but we recognize that other DOE sites, such as Hanford where a commercial fuel fabrication facility already exists nearby, are likely to be stronger candidates. 11/08.03.01

10. According to the EIS, some forms of plutonium will not lend themselves to MOX 12/08.03.01

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08 03 01 Comment Number 5

The Department of Energy acknowledges the commentor's support of consolidated long-term storage at Pantex. Decisions related to storage will be based upon environmental analyses, technical and economic studies, national policy considerations, and public input.

08 03 01 Comment Number 6

The Department of Energy acknowledges the commentor's support for the continued storage of surplus Pu (No Action Alternative) at INEL. Decisions on disposition of weapons-usable fissile materials at INEL, Argonne National Laboratory-West (ANL-W), or other facilities will be based upon environmental analyses, technical and economic studies, national policy considerations, and public input.

08 03 00 Comment Number 7

Decisions on storage and disposition of weapons-usable fissile materials will be based on environmental analyses, technical and economic studies, national policy considerations, and public input. Part of the decision process takes into consideration existing agreements such as the *1995 Settlement Agreement* among the State of Idaho, DOE, and the U.S. Navy. DOE is committed to compliance with the October 17, 1995, Settlement Agreement/Consent Order.

08 03 01 Comment Number 8

The Department of Energy acknowledges the commentor's support for Pu disposition in reactors. Decisions on disposition of weapons-usable fissile materials will be made based upon environmental analyses, technical and economic studies, national policy considerations, and public input.

08 03 01 Comment Number 9

The Department of Energy acknowledges the commentor's support for additional missions at INEL. Decisions on storage and disposition of weapons-usable fissile materials will be based upon environmental analyses,

fabrication. For these forms the INEL, with its vast chemical processing experience, should play a major treatment role, preferably through the ANL-W Electrometallurgical Process (provided that process is successfully demonstrated) or via one of the other immobilization alternatives. If the treated material is shipped in and out of Idaho in a timely manner, such treatment would meet the terms of the 1995 Nuclear Waste Agreement. 12/08.03.01 cont.

11. If DOE selects the immobilization category of alternatives for disposition of all its plutonium, Coalition 21 believes that the ANL-W EM alternative (once successfully demonstrated) is the environmentally best alternative in this category and we support it for that reason.

12. Coalition 21 believes that INEL is a satisfactory location for the plutonium conversion facilities that are common activities for any of the plutonium disposal alternatives. The DEIS overstates the environmental consequences of these and any other new treatment (or storage) facility at the INEL because such facilities would logically be located inside existing fenced areas to take advantage of their infrastructure and their previously disturbed land resources. 13/08.03.01 14/09.01.03

13. The DEIS Summary falls short in its function for several reasons:
(a) Its explanation of environmental consequences is overly repetitive and detailed and thus subject to numerous internal inconsistencies.
(b) Some of its comparisons are meaningless, such as distinguishing the number of cancer fatalities to the third significant figure.
(c) Other aspects of the DEIS are not adequately explained in the Summary (cf. the various Weapons-Usable Fissile Material Categories in Figure S-1).
For more detailed comments on the Summary we refer you to a companion comment document no. 21/96-04GF submitted by one of our members. 15/09.00.08

Coalition 21 appreciates the opportunity to comment on this significant Draft PEIS. We recognize what a tremendous undertaking each such document represents.

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technical and economic studies, national policy considerations, and public input.

15 00 00 Comment Number 10

Comment noted.

08 03 01 Comment Number 11

The Department of Energy acknowledges the commentor's support for construction of the MOX fabrication facility at INEL. Decisions on storage and disposition of weapons-usable fissile materials will be based upon environmental analyses, technical and economic studies, national policy considerations, existing agreements, and public input.

08 03 01 Comment Number 12

The Department of Energy acknowledges the commentor's support for the Electrometallurgical Treatment Alternative and other disposition alternatives at INEL. Decisions on disposition of weapons-usable fissile materials will be based upon environmental analyses, technical and economic studies, national policy considerations, existing agreements, and public input. In a different context, a limited demonstration of electrometallurgical treatment of EDR-II spent nuclear fuel is underway at ANL-W and is scheduled for completion within the next 3 years, pursuant to the *Environmental Assessment of the Electrometallurgical Treatment Research and Demonstration Project in the Fuel Conditioning Facilities at Argonne National Laboratory-West* (DOE/EA-1148, May 1996).

08 03 01 Comment Number 13

The Department of Energy acknowledges the commentor's support for the construction of the Pu conversion facility at INEL. Decisions on storage and disposition of weapons-usable fissile materials will be based on environmental analyses, technical and economic studies, national policy considerations, and public input.

09 01 03 Comment Number 14

Concerning the land area required during operation for the Upgrade Alternatives, the Draft PEIS was revised to identify "disturbed area" as land currently not in use and previously an undisturbed natural habitat. Previously disturbed areas, such as graveled area or any land previously graded and cleared of vegetation, were considered "already disturbed areas." All areas within the existing Protected Area (PA) are classified as "already disturbed areas." The criteria for determining disturbed and undisturbed land area during construction would be the same as for operation.

At INEL, only the Upgrade Alternative would be situated entirely on previously disturbed land ANL-W. A potential location for the Consolidation and Collocation Alternatives at INEL would be undisturbed land east of the ICPP. Section 4.2.3.1 of the Final PEIS reflects the revision.

09 00 08 Comment Number 15

Based on comments received, the Summary was revised. The bar charts providing the comparison of impacts for both storage and disposition were deleted from the Summary. The related text was revised to clarify the comparison of impacts.