SAFETY GOALS AND COMPARISON OF NRC AND DOE PERFORMANCE OBJECTIVES—Continued

Safety goal	NRC performance objective for commercial facilities	DOE performance objective/measures for DOE facilities
	NRC adds organ-specific objectives: No dose to the thyroid in excess of 75 mrem/year and to any other organ of any member of the public in excess of 25 mrem/year. [10 CFR 61.41].	DOE adds air pathway objective: Dose to representative members of the public shall not exceed 10 mrem/year, excluding radon and its progeny. [DOE Manual 435.1–1 Ch. IV P(1)(b)].
	—*This cell intentionally blank*—	DOE adds an objective specifically for radon: Radon release shall not exceed an average flux of 20 pCi/m^2/second at the surface of the disposal facility. Alternatively a limit of 0.5 pCi/liter of air may be applied at the facility boundary. [DOE Manual 435.1–1 Ch. IV P(1)(c)].
Protection of Individuals from Inadvertent Intrusion.	Design, operation, and closure of the land disposal facility must ensure protection of any individual inadvertently intruding into the disposal site and occupying the site or contacting the waste at any time after active institutional controls over the disposal site are removed. [10 CFR 61.42] While a quantitative limit is not specified, 10 CFR 61 Final EIS suggests dose limit of 500 mrem/year [NUREG–0945, NUREG–1854].	For purposes of establishing limits on concentration of radionuclides that may be disposed of near-surface, an analysis of inadvertent human intrusion shall use *performance measures* for chronic and acute exposure scenarios of 100 mrem in a year and 500 mrem total effective dose equivalent, excluding radon. [DOE Manual 435.1–1 Ch. IV P(2)(h)].
Protection of individuals during operations.	Operations at the land disposal facility must be conducted in compliance with radiation protection standards set out in 10 CFR part 20 except for releases of radioactivity in effluents from the land disposal facility, which shall be governed by 10 CFR 61.41. [10 CFR 61.43]. Worker dose shall not exceed 5 rem/year (10 CFR 20.1201) and public dose shall not exceed 100 mrem/year (10 CFR 20.1301).	Facilities, operations, and activities shall meet the requirements of 10 CFR part 835 and DOE Order 5400.5 (superseded by Order 458.1) for establishing acceptable dose rates to workers and the public. [DOE Manual 435.1–1 Ch. I 1.E(13)]. Worker dose shall not exceed 5 rem/year (10 CFR 835.202), public dose in controlled area shall not exceed 100 mrem/year (10 CFR 835.208); and public does shall not exceed 25 mrem/year (DOE Order 458.1, Section 4.h(1)).
Stability of Disposal Facility	The disposal facility must be sited, designed, used, operated, and closed to achieve long-term stability of the disposal site and to eliminate to the extent practicable the need for ongoing active maintenance of the disposal site following closure so that only surveillance, monitoring, or minor custodial care are required. [10 CFR 61.44].	Disposal Facility Closure Plans, includes a description of how the disposal facility will be closed to achieve long-term stability and minimize the need for active maintenance following closure and to ensure compliance with the requirements of DOE Order 5400.5, *Radiation Protection of the Public and the Environment.* (superseded by Order 458.1) [DOE Manual 435.1–1 Ch. IV Q(1)(b) and Ch. IV M].
Composite Analysis of Impacts of All Sources of Radioactive Material at a DOE site.	—*This cell intentionally blank*—	Dose at point of compliance from all interacting sources does not exceed 30 mrem per year. [DOE Standard 5002–2017, Section 3.2.1.].

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DEPARTMENT OF ENERGY

Environmental Assessment for the Commercial Disposal of Defense Waste Processing Facility Recycle Wastewater From the Savannah River Site

AGENCY: Office of Environmental Management, U.S. Department of Energy.

ACTION: Notice.

SUMMARY: The U.S. Department of Energy (DOE) announces its intent to prepare an environmental assessment (EA) pursuant to the National Environmental Policy Act of 1969 (NEPA) to dispose of up to 10,000 gallons of stabilized (grouted) Defense Waste Processing Facility (DWPF) recycle wastewater from the Savannah River Site (SRS) at a commercial low-level radioactive waste (LLW) disposal facility located outside of South Carolina licensed by either the Nuclear Regulatory Commission (NRC) or an Agreement State. This effort will analyze capabilities for alternative treatment and disposal options through the use of existing, permitted, off-site commercial treatment and disposal facilities.

ADDRESSES: This **Federal Register** Notice (Notice) is available on *https://www.energy.gov/em/high-level-radioactive-waste-hlw-interpretation.* The Draft EA will also be made available at this website.

FOR FURTHER INFORMATION CONTACT: James Joyce, U.S. Department of Energy, Office of Environmental Management, Office of Waste and Materials Management (EM–4.2), 1000 Independence Avenue SW, Washington, DC 20585. Telephone: (301) 903–2151. Email: *James.Joyce@em.doe.gov.*

SUPPLEMENTARY INFORMATION: The DWPF recycle wastewater would be treated, characterized, and if the performance objectives and waste acceptance criteria of a specific disposal facility are met, DOE could consider whether to dispose of the waste as LLW under the Department's high-level radioactive waste (HLW) interpretation published elsewhere in this issue of the **Federal Register**. As DOE explained in the Supplemental Notice, the HLW interpretation does not change or revise any current policies or other legal requirements with respect to HLW. As a result of this NEPA process, DOE may consider what actions, if any, are needed and appropriate to implement any decision to dispose of the DWPF recycle wastewater as LLW.

Background

SRS occupies approximately 300 square miles primarily in Aiken and Barnwell Counties, South Carolina. Until the early 1990s, the primary SRS mission was the production of special radioactive isotopes to support national defense programs. More recently, the SRS mission has emphasized waste management, environmental restoration, and the decontamination and decommissioning of facilities that are no longer needed for SRS's traditional defense activities.

SRS generated large quantities of liquid radioactive waste as a result of its nuclear materials production mission. This waste resulted from dissolving spent nuclear fuel and nuclear targets to recover valuable isotopes. [1] The waste was placed into underground storage tanks at SRS and consists primarily of three physical forms: sludge, salt, and liquid supernatant.

The sludge portion in the underground tanks is being transferred on-site to the DWPF for vitrification in borosilicate glass to immobilize the radioactive constituents, as described in the *Defense Waste Processing Facility Supplemental Environmental Impact Statement* (DOE/EIS–0082–S, November 25, 1994) and subsequent Record of Decision (60 FR 18589). The resulting vitrified waste form is poured as molten glass into production canisters where it cools into a solid waste-glass, and is securely stored at SRS until DOE establishes a final disposition path. Recycle wastewater is generated as part of DWPF operations. The wastewater is a combination of several dilute liquid waste streams consisting primarily of condensates from the pretreatment and vitrification processes. Other components of the recycle wastewater include process samples, sample line flushes, sump flushes, and cleaning solutions from the decontamination and filter dissolution processes. Currently, the recycle wastewater is returned to the tank farm for volume reduction by evaporation or is beneficially reused in salt dissolution and pretreatment, or sludge washing. As described in SRS Liquid Waste System Plan, Revision 21, beginning in FY 2024, SRS assumes that the practice of returning the recycle wastewater to the tank farm will be discontinued in order to support acceleration of tank closures. In lieu of the current evaporation process performed in the tank farm, the DWPF recycle wastewater is currently planned to undergo an alternative pre-treatment process prior to transfer to the SRS Effluent Treatment Project and the Saltstone Production Facility.

Purpose and Need for Action

DOE's purpose and need for this action is analyze capabilities for alternative treatment and disposal options for DWPF recycle wastewater through the use of existing, permitted, off-site commercial treatment and disposal facilities. At the time DOE prepared the 1994 and 2006 supplemental environmental impact statements for DWPF (DOE/EIS–0082–S) and Savannah River Site Salt Processing Alternatives (DOE/EIS–0082–S2), respectively, it did not analyze the potential environmental impacts associated with potential commercial treatment and disposal options for DWPF recycle wastewater. DOE now proposes to use commercial LLW disposal facilities for up to 10,000 gallons of DWPF recycle wastewater to provide treatment and disposal options for completion of the tank closure program. Any proposal to dispose of more than 10,000 gallons, would be evaluated in separate NEPA documentation. Treatment or disposal of this waste at a commercial LLW facility could help facilitate and accelerate completion of the environmental cleanup mission at SRS and would provide an alternative disposal option in the event on-site treatment and disposal capabilities become unavailable.

Proposed Action and Alternatives

Under the proposed action, DOE would dispose of up to 10,000 gallons of stabilized (grouted) DWPF recycle wastewater at SRS at a commercial LLW facility outside of South Carolina licensed by either the NRC or an Agreement State under 10 CFR part 61. The EA will analyze the potential environmental impacts of up to 10,000 gallons proposed for commercial disposal. Prior to a disposal decision, DOE would characterize the DWPF recycle wastewater to verify with the licensee of the commercial LLW disposal facility whether the waste meets DOE's HLW interpretation for disposal as non-HLW (the interpretation is published elsewhere in this issue of the **Federal Register**). DOE would also demonstrate compliance with waste acceptance criteria and all other requirements of the disposal facility, including any applicable regulatory requirements (*e.g.,* Resource Conservation and Recovery Act) for treatment of the waste prior to disposal and applicable Department of Transportation (DOT) requirements for packaging and transportation from SRS to the commercial facility. DOE has identified three action alternatives for the proposed action:

- *Alternative 1:* Deploy treatment capability at SRS to stabilize up to 10,000 gallons of DWPF recycle wastewater. Depending upon whether the final packaged waste form is classified as Class A, B, or C LLW, [2] it would then be shipped for disposal to either the Waste Control Specialists Federal Waste Facility in Andrews County, Texas (if determined to be Class A, B or C LLW) [3] and/or the Energy*Solutions* LLW disposal facility near Clive Utah (if determined to be Class A LLW), [4] depending upon waste content and facility waste acceptance criteria.
- *Alternative 2:* Transfer up to 10,000 gallons of DWPF recycle wastewater at SRS into a DOT-approved package and ship the waste to either the WCS facility and/or the Energy*Solutions* facility for treatment into a solid waste form and disposal as LLW, depending upon waste content and facility waste acceptance criteria.
- *Alternative 3:* Transfer up to 10,000 gallons of DWPF recycle wastewater into a DOT approved package and ship the waste for treatment to a commercial treatment facility with appropriate permits and licenses. Following treatment, ship the solidified DWPF recycle waste for disposal at either the WCS facility or the Energy*Solutions* facility, depending upon waste content and facility waste acceptance criteria.

[1] DOE issued a Supplemental Notice Concerning U.S. Department of Energy Interpretation of High-Level Radioactive Waste published elsewhere in this issue of the **Federal Register**, in which DOE provided its interpretation of the term high-level waste as defined in the Atomic Energy Act of 1954, as amended (AEA, 42 U.S.C. 2011 *et seq.*) and the Nuclear Waste Policy Act of 1982, as amended (NWPA, 42 U.S.C. 10101 *et seq.*). DOE interprets the statutes to provide that a reprocessing waste may be determined to be non-HLW if the waste meets either of the following two criteria: (I) does not exceed concentration limits for Class C low-level radioactive waste as set out in 10 CFR 61.55, and meets the performance objectives of a disposal facility; or (II) does not require disposal in a deep geologic repository and meets the performance objectives of a disposal facility as demonstrated through a performance assessment conducted in accordance with applicable requirements.

[2] In its 10 CFR part 61 regulations, NRC has identified classes of LLW—Class A, B, or C—for which near-surface disposal is safe for public health and the environment. This waste classification regime is based on the concentration levels of a combination of specified short-lived and long-lived radionuclides in a waste stream, with Class C LLW having the highest concentration levels.

[3] WCS is licensed by the Texas Commission on Environmental Quality for the disposal of Class A, B, and C LLW that meets specified waste acceptance criteria.

[4] Energy*Solutions* is licensed by the Utah Department of Environmental Quality for the disposal of Class A LLW that meets specified waste acceptance criteria.

The EA will also analyze a no action alternative under which the DWPF recycle wastewater would remain in the SRS liquid waste system until disposition occurs. As currently planned, beginning in FY 2024, the DWPF recycle wastewater would undergo a pre-treatment process prior to transfer to the SRS Effluent Treatment Project and the Saltstone Production Facility. The potential environmental impacts of the no action alternative are anticipated to be similar to those analyzed by the supplemental environmental impact statements for DWPF (DOE/EIS–0082–S) and Savannah River Site Salt Processing Alternatives (DOE/EIS–0082–S2), relative to the quantities of waste involved. DOE's purpose and need for this proposal is to expand its disposal options, and hence no NEPA analyses on treatment and disposal at Federal disposal facilities will be conducted.

Potential Areas of Environmental Analysis

DOE has tentatively identified the following areas for detailed analysis in the EA. The list is not intended to be comprehensive or to predetermine the potential impacts to be analyzed.

- Impacts to the general population and workers from radiological and non-radiological releases, and other public and worker health and safety impacts.
- Impacts of emissions on air and water quality, including impacts of greenhouse gas emissions.
- Impacts on ecological systems and threatened and endangered species.
- Impacts on waste management activities.
- Impacts of transportation of radioactive materials to commercial treatment and disposal facilities.
- Impacts that could occur as a result of postulated accidents and intentional destructive acts (terrorist actions and sabotage).
- Potential disproportionately high and adverse effects on low-income and minority populations (environmental justice).
- Short-term and long-term land use impacts, including potential impacts of disposal.
- Cumulative impacts.

NEPA Process and Public Participation

DOE will issue a **Federal Register** Notice later this year on the availability of the Draft Commercial Disposal of Recycle Wastewater EA and will include instructions on how to submit public comments on the Draft EA. DOE adheres to all NEPA regulations including those related to public participation and stakeholder interactions. In general, the NEPA process requires meaningful opportunities for public participation. Key opportunities for public participation in the NEPA process include submitting comments on publicly available draft NEPA documents such as the Draft Commercial Disposal of Recycle Wastewater EA announced in this **Federal Register** Notice. Based on the EA analysis, DOE will either issue a Finding of No Significant Impact or announce its intention to prepare an environmental impact statement.

Signed at Washington, DC, on May 30, 2019.

Anne Marie White,

Assistant Secretary for Environmental Management.

[FR Doc. 2019–12114 Filed 6–7–19; 8:45 am]

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DEPARTMENT OF ENERGY

National Nuclear Security Administration

Notice of Intent To Prepare an Environmental Impact Statement for Plutonium Pit Production at the Savannah River Site

AGENCY: National Nuclear Security Administration, Department of Energy.

ACTION: Notice of intent.

SUMMARY: The Department of Energy (DOE) National Nuclear Security Administration (NNSA) hereby announces its intent, consistent with the National Environmental Policy Act (NEPA), to prepare an environmental impact statement (EIS) for plutonium pit production at the Savannah River Site (SRS) in South Carolina (the SRS EIS). The 2018 Nuclear Posture Review announced that the United States will pursue initiatives to ensure the necessary capability, capacity, and responsiveness of the nuclear weapons infrastructure and the needed skill of the workforce, including providing the enduring capability and capacity to produce no fewer than 80 plutonium pits per year by 2030. To achieve the Department of Defense (DoD) requirement, NNSA is proposing to repurpose the Mixed Oxide Fuel Fabrication Facility (MFFF) at SRS to produce plutonium pits while also maximizing pit production activities at Los Alamos National Laboratory (LANL) in New Mexico. NNSA also hereby provides information regarding its overall NEPA strategy related to fulfilling national requirements for pit production. NNSA will first conduct a programmatic review to assist in decisions and second conduct site-specific reviews. NNSA anticipates that it will prepare at least three documents including: A supplement analysis (SA) to the *Final Complex Transformation Supplemental Programmatic EIS* (Complex Transformation SPEIS); a site-specific EIS for the proposal to produce pits at SRS; and site-specific documentation for the proposal to authorize expanding pit production at LANL.

DATES: NNSA invites Federal and state agencies, state and local governments, Native American tribes, industry, other organizations, and members of the public to submit comments to assist in identifying environmental issues and in determining the appropriate scope of the SRS EIS until July 25, 2019. Comments received after this date will be considered to the extent practicable. NNSA will hold one public scoping meeting for the proposed EIS as follows:

- June 27, 2019 (5:00 p.m.–9:00 p.m. EST) at the North Augusta Community Center, 495 Brookside Ave. North Augusta, SC 29841.

Doors will open at 5:00 p.m. on June 27, 2019 at the community center for the public to view posters on display. NNSA will provide a brief presentation on the EIS beginning at 6:00 p.m. and then NNSA will accept public comments on the scope of the EIS.

ADDRESSES: Written comments on the scope of the EIS, requests to be placed on the EIS distribution list, and comments or questions on the scoping process should be sent to: Ms. Jennifer Nelson, NEPA Document Manager, National Nuclear Security Administration Savannah River Field Office, P.O. Box A, Aiken, SC 29802 or email to *NEPA-SRS@srs.gov.* If you would like to pre-register to comment during the public scoping meeting, send an email to *NEPA-SRS@srs.gov.* Before including your address, phone number, email address, or other personal identifying information in your comment, please be advised that your entire comment—including your personal identifying information—may be made publicly available. If you wish for NNSA to withhold your name and/or other personally identifiable information, please state this prominently at the beginning of your comment. You may also submit comments anonymously. Also, NNSA requests Federal, State, and local agencies that desire to be designated as cooperating agencies on the EIS to contact the NEPA Document Manager at the address listed in this section by the end of the scoping period.