

[SOE LETTERHEAD]

February 28, 1996

The Honorable John T. Conway
Chairman
Defense Nuclear Facilities Safety Board
625 Indiana Avenue, N. W.
Washington, D.C. 20004

Dear Mr. Chairman:

Thank you for your letter of June 15, 1995, accepting the 94-2 Implementation Plan. Our understanding of the first condition of acceptance is that Department approval of a low-level waste disposal facility performance assessment needs to be based on an assurance of public protection. This means that source terms that result from the overlap of plumes from current and future low-level waste disposal with plumes from other radioactivity to be left at the site (e.g., residues from liquid disposal and past solid waste disposal) will not cause an unacceptable offsite impact. Our intent is to accomplish this goal using a combination of the low-level waste performance assessment process, the Comprehensive Environmental Response, Compensation, and Liability Act process, and other mechanisms. With this understanding, we agree with the conditions of acceptance that you specified and have reevaluated the Implementation Plan based on these conditions. Recent discussions between our staff have indicated that the Department had not fully considered the complexity of the problems we are faced with in carrying out the current Implementation Plan, especially the need to evaluate the cumulative impacts of past, present, and future disposal activities. Based on these considerations and our progress and experience to date, we are in the process of revising the 94-2 Implementation Plan.

The modified implementation Plan will address the milestones needed to complete the identified tasks. The revised Implementation Plan will also identify the resources to be applied. We are confident that this revised approach will lead to an improved methodology for the Department-wide management of low-level waste. We plan to submit the revised Implementation Plan to you by the end of April following a formal briefing to the Board on the proposed revision to the Implementation Plan.

The Department staff will continue to work with the Defense Nuclear Facilities Safety Board staff and Mr. DiNunno on an expeditious path forward to a revised implementation Plan.

Sincerely,

Hazel R. O'Leary