



Department of Energy

Washington, DC 20585

April 24, 2020

Patricia Holahan
Director, Division of Decommissioning, Uranium
Recovery and Waste Programs
U.S. Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, Maryland 20852

Dear Ms. Holahan:

Under the Department of Energy (DOE) Order 435.1, *Radioactive Waste Management*, and DOE Manual 435.1-1, *Radioactive Waste Management Manual*, DOE may determine that certain radioactive waste resulting from the reprocessing of spent nuclear fuel is not high-level radioactive waste, based on an evaluation showing that the criteria in DOE Manual 435.1-1 are met. The enclosed *Draft Waste Incidental to Reprocessing Evaluation for Vitrified Low Activity Waste Disposed Onsite at the Hanford Site, Washington* (Draft WIR Evaluation) demonstrates that those criteria are satisfied. The Draft WIR Evaluation is being provided to the Nuclear Regulatory Commission (NRC) for review and consultation. Please conduct your consultative review in accordance with the Interagency Agreement between DOE and NRC. The Office of River Protection will place electronic copies of the Draft WIR Evaluation and all supporting reference documents in the box account located at <https://usnrc.app.box.com/folder/90020760202>.

Today, DOE is providing a 30-day advance notification to Hanford stakeholders, consistent with Hanford's *Public Involvement Plan*. Thereafter, DOE will post the Draft WIR Evaluation on the Hanford webpage, and make the Draft WIR Evaluation available for comments by States, Tribal Nations, stakeholders and the public. Consistent with this approach, we would greatly appreciate it if NRC would refrain from publicly posting the Draft WIR Evaluation until 30 days from today's date.

DOE plans to prepare a final WIR Evaluation after consultation with NRC, carefully considering comments received, and performing any necessary revisions of analyses and technical documents. Based on the final WIR evaluation, DOE may determine (in a future WIR Determination) whether the vitrified low activity waste is incidental to reprocessing, is not high-level radioactive waste, and may be managed as low-level radioactive waste.

If you have any questions, please contact me or Ms. Sherri Ross, Office of Regulatory Compliance, at (301) 903-2192. Members of your staff may also contact Ms. DaBrisha Smith, Office of River Protection, at (509) 376-4306.

Sincerely,

A handwritten signature in blue ink that reads "Elizabeth A. Connell".

Elizabeth A. Connell
Associate Principal Deputy Assistant Secretary
for Regulatory and Policy Affairs

Enclosure

cc: Christopher McKenney, NRC
Maurice Heath, NRC
Lee Gladney, NRC
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