



The Secretary of Energy
Washington, D.C. 20585

October 24, 2007

The Honorable A. J. Eggenberger
Chairman
Defense Nuclear Facilities Safety Board
625 Indiana Avenue, NW, Suite 700
Washington, DC 20004-2901

Dear Mr. Chairman:

This letter provides an update of the Department's Implementation Plan (IP) for Recommendation 2001-1, *High-Level Waste Management at the Savannah River Site*. Specifically, I have approved changes to the completion dates for Commitments 2.9, 2.10, and 2.13.

As noted in Revision 4 of the IP of July 11, 2006, the commitment date to complete processing of 100,000 gallons of salt solution did not include a contingency for potential legal challenges. Legal challenges to a South Carolina modified permit, needed to dispose of the treated salt waste, were filed in March 2007. As a result of those legal challenges, activities were suspended for Commitment 2.9 "Demonstrate the viability of the Deliquification, Dissolution, and Adjustment (DDA) [process]," as delineated in Dr. Inés R. Triay's April 24, 2007, letter.

The legal challenges to the South Carolina permit modification were settled on August 7, 2007. The impacts to three commitments are described in the enclosure, including the revised completion dates. The technical approach to fulfilling the commitments has not changed.

If you have any questions, please call me or Mr. James M. Owendoff, Chief Operations Officer for Environmental Management, at (202) 586-0738.

Sincerely,

A handwritten signature in black ink that reads "Samuel W. Bodman".

Samuel W. Bodman

Enclosure



Printed with soy ink on recycled paper

Update to Revision 4, Implementation Plan (IP) for Recommendation 2001-1, High-Level Waste Management at the Savannah River Site

Commitment 2.9: This commitment to “Demonstrate the viability of the Deliquification, Dissolution, and Adjustment (DDA),” was defined to be demonstrated by disposition of 100,000 gallons of salt solutions in Saltstone. The due date for this activity was 90 days after issuance of the modified low activity Saltstone Disposal Facility permit (i.e., Industrial Solid Waste Landfill permit) [Demonstration expected by October 2006].

Reason for delay: The Saltstone Disposal Facility Permit Modification was issued by the South Carolina Department of Health and Environmental Control on January 23, 2007, and became effective on February 26, 2007. Subsequently, saltstone processing was initiated. In March 2007, the Natural Resources Defense Council, the Sierra Club and others filed Requests for a Contested Case Hearing before the South Carolina Administrative Law Court. In recognition of those legal challenges to the modified permit, processing and disposal activities were suspended. Subsequently, a settlement memorialized in a Consent Order of Dismissal was entered by the Administrative Law Judge on August 7, 2007.

Current Actions: The current path forward for the Department of Energy (DOE) is to complete in-progress modifications to enhance Saltstone facility operational reliability, and commence demonstration of the DDA process in November 2007. Processing as identified in Commitment 2.9, will be completed and the Defense Nuclear Facilities Safety Board (DNFSB) notified by February 2008.

Revised Completion Date: February 2008 (Change from 90 days after issuance of the modified low activity Saltstone Disposal Facility permit [Demonstration expected by October 2006])

Commitment 2.10: This commitment to “Demonstrate the viability of the actinide removal process (ARP),” was defined to be demonstrated by completing the first batch through the ARP process. The previous due date for this activity was November 2007.

Reason for Delay: The ARP process is scheduled to commence radiological operations by September 2007, consistent with the state special permit condition, which consists of integrated runs of water, then salt simulant through contaminated transfer lines. Subsequently, contractor and DOE operational readiness reviews will be performed. The ARP process is scheduled to be operationally available to receive the first batch of waste in March 2008; however, litigation-related delays in processing DDA material would similarly delay availability of feed for the ARP process. DOE is working with the contractor to minimize the potential delays.

Current Actions: When the completion of Commitment 2.9 for DDA is communicated to the DNFSB, by February 2008, the status of feed availability for the ARP process will also be provided. Contingent upon feed availability, the ARP process is expected to receive the first batch of waste in late March 2008 with DOE confirmation of process viability and written notification to the DNFSB to follow in May 2008.

Revised Completion Date (Board notification): May 2008 (Change from November 2007)

Commitment 2.13: This commitment to “Begin Modular CSSX (Caustic Solvent Side Extraction) Unit (MCU) radioactive operations,” was defined to be demonstrated by radioactive material introduced for processing in the MCU. The previous due date for this activity was November 2007.

Reason for Delay: The MCU process is scheduled to commence radiological operations by September 2007, which consists of integrated runs of water, then salt simulant from ARP through contaminated transfer lines. Subsequently, contractor and DOE operational readiness reviews will be performed. As with ARP, the MCU process will be operationally available to receive the first batch of waste in March 2008; however, litigation-related delays in processing DDA material would also impact the availability of feed for the MCU process.

Current Actions: When the completion of Commitment 2.9 for DDA is communicated to the DNFSB, by February 2008, the status of feed availability for the MCU process will also be provided. Contingent upon feed availability, the MCU process is expected to receive the first batch of waste in March 2008, with DOE confirmation and written notification to the DNFSB to follow in May 2008.

Revised Completion Date (Board notification): May 2008 (Change from November 2007)