

**National Environmental Policy Act (NEPA) Categorical Exclusion (CX) Applicable Determination for the Receipt and Processing of TRU Soils from Nuclear Fuel Services (NFS) in Erwin, Tennessee by the Transuranic (TRU) Waste Processing Center (TWPC) on the Oak Ridge Reservation, Tennessee (CX-TWPC-09-0001)**

The U.S. Department of Energy (DOE) Oak Ridge Office (ORO) proposed activities include receipt of approximately 316 m<sup>3</sup> of TRU soils from the Nuclear Fuels Services (NFS) facility located in Erwin, TN by the TRU Waste Processing Center (TWPC) located on the Oak Ridge Reservation, TN for certification activities in preparation for shipment to Waste Isolation Pilot Plant (WIPP) for final disposal. The TWPC currently prepares wastes stored at the Oak Ridge National Laboratory (ORNL) for offsite disposal at WIPP and the Nevada Test Site (NTS).

The TRU soils will be generated as part of a remediation activity conducted at the NFS facility in Erwin, TN. The soils will be received at the TWPC facility, which has existing storage units for TRU wastes. It is proposed that 95 m<sup>3</sup> of these TRU soils will be received in FY2010, 158 m<sup>3</sup> of these TRU soils will be received in FY2011, and 63 m<sup>3</sup> of these TRU soils will be received in FY2012 at the TWPC facility for certification activities.

The proposed action will utilize the current TWPC facility and equipment which is a developed site with active utilities and readily accessible roads. These soils are identical to NFS waste that has been certified by the TWPC facility and is awaiting shipment to WIPP. The TRU soils received at the TWPC will be certified by Non-Destructive Assay (NDA), Non-Destructive Examination (NDE) and certified in preparation for shipment to WIPP. These soils account for only an 8 percent increase in waste volume, over that evaluated in the EIS, and will have no significant impact above those identified in the referenced EIS.

The proposed action would be conducted under DOE authorities pursuant to the Atomic Energy Act (AEA) and would be consistent with current and planned future actions at the site. The proposed action meets the eligibility criteria for conditions that are integral elements of actions covered by categorical exclusions (CX) as stated in 10 CFR 1021.

The TWPC completed an Environmental Impact Statement (DOE/EIS-0305-F) that covered the following actions: construction, operations, decontamination and decommissioning of a treatment facility, and the processing of legacy and newly generated TRU and alpha low level wastes, pending off-site disposal. The four waste types evaluated in the EIS included contact handled (CH) waste, remote handled (RH) waste, supernate and sludge totaling approximately 4,050 m<sup>3</sup>. This EIS found that the Department of Energy needs to treat the legacy TRU and alpha low level waste from ORNL in order to reduce the risk to human health and the environment and to comply with legal mandates from the Tennessee Department of Environment and Conservation (TDEC) and the ORNL Site Treatment Plan.

UNCLASSIFIED  
Larry Sparks *LS*  
DOE ORO Classification Officer  
Date: 1-24-2010  
*Approved For Public Release*

The applicable CX under 10 CFR 1021, Subpart D, Appendix B, for these actions are as identified below:


Section B6.1 Small-scale, short-term cleanup actions, under RCRA, Atomic Energy Act, or other authorities, less than approximately 5 million dollars in cost and 5 years duration, to reduce risk to human health or the environment from the release or threat of release of a hazardous substance other than high-level radioactive waste and spent nuclear fuel, including treatment (e.g., incineration), recovery, storage, or disposal of wastes at existing facilities currently handling the type of waste involved in the action.

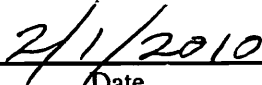
The above description accurately describes the proposed action which reflects the requirements of the CX cited above. Therefore, I recommend that the proposed action be categorically excluded from further NEPA review and documentation.

  
\_\_\_\_\_  
Bill McMillan  
DOE TRU Waste Project Manager

  
\_\_\_\_\_  
Date

Based on my review and the recommendation of the DOE TRU Waste Project Manager, I have determined that the proposed action is categorically excluded from further NEPA review and documentation.

  
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Gary S. Hartman, NEPA Compliance Officer  
DOE ORO

  
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Date