

Revision to Clearance Policy Associated with Recycle of Scrap Metals Originating from Radiological Areas

On July 13, 2000, the Secretary of Energy imposed an agency-wide suspension on the unrestricted release of scrap metal originating from radiological areas at Department of Energy (DOE) facilities for the purpose of recycling. The suspension was imposed in response to concerns from the general public and industry groups about the potential effects of radioactivity in or on material released in accordance with requirements established in DOE Order 5400.5, *Radiation Protection of the Public and Environment*. The suspension was to remain in force until DOE developed and implemented improvements in, and better informed the public about, its release process. In addition, in 2001 the DOE announced its intention to prepare a Programmatic Environmental Impact Statement (PEIS) on the policy alternatives for disposition of metals from DOE sites under DOE Order 5400.5. Although the suspension was considered to be a temporary measure, it has been in force since 2000, and the PEIS was not completed. In February 2011, DOE replaced DOE O 5400.5 with DOE O 458.1, *Radiation Protection of the Public and Environment*. In accordance with its requirements, DOE is developing a new scrap metals release process. Consequently, the need for the original scrap metals programmatic EIS has been superceded, and that EIS is being cancelled.

Under the current policy, recycling of the metals encumbered by the suspension would require permission from the Secretary. DOE proposes to modify this policy and delegate authority from the Secretary to the Under Secretaries to manage radiological clearance processes consistent with the requirements contained in DOE Order 458.1 *Radiation Protection of the Public and Environment* (which replaced DOE Order 5400.5 on February 11, 2011). This action is contingent on compliance with the National Environmental Policy Act (NEPA). The Department intends to prepare an environmental assessment (EA) considering alternatives for scrap metal originating from DOE radiological control areas. (Metals with volumetric radioactive contamination are not included in the scope of this EA.) DOE plans to complete the EA, and, as appropriate, issue a finding of no significant impact (FONSI) or prepare a new EIS prior to implementing a revision to the DOE clearance policy.

DOE anticipates publishing a notice of availability of the draft EA in the *Federal Register* in approximately 6 to 8 months, followed by a public comment period. The draft EA will also be posted on the DOE NEPA Website (<http://energy.gov/nepa>) and other relevant DOE websites, and made available as a CD upon request.