



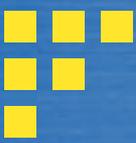
1995 Settlement Agreement

Susan Burke

INL Coordinator

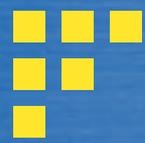
Idaho Department of Environmental Quality

November 14, 2012



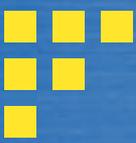
1995 Settlement Agreement

- Between Idaho, DOE, and Navy
- Settled lawsuit brought by Idaho
- Only state with a court order requiring nuclear waste to be removed by specified dates
- Covers spent nuclear fuel, high level waste, and transuranic waste



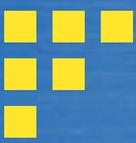
Spent Nuclear Fuel

“DOE shall **remove** all spent fuel, including naval spent fuel and Three Mile Island spent fuel **from Idaho** by **January 1, 2035.**”



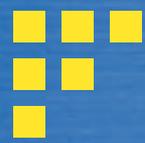
Spent Nuclear Fuel

- Transfer from wet to dry storage by **December 31, 2023**
- Only a limited amount of spent fuel can be shipped to INL each year
- Overall cap of **55** MTHM
- Limited amount of commercial spent fuel can be shipped to INL
- Fort St. Vrain spent fuel



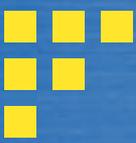
Navy Addendum

- Requires pre-2017 spent fuel to be out of wet storage by 2023
- After 2017 spent fuel limited to 6 years in wet storage
- Continues the annual limit on spent fuel shipments after 2035
- Limits total volume in storage after 2035 to 9 MTHM



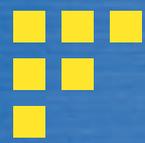
High Level Waste

High level waste is to be put “into a form suitable for transport to a permanent repository or interim storage facility outside Idaho.”



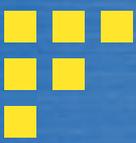
High Level Waste

- Liquid waste to be solidified by **December 31, 2012**
- DOE to submit a RCRA permit to the State by **December 1, 2012** for waste treatment
- Solidified waste to be in a form to be safely transported out of Idaho by **2035**



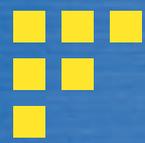
Transuranic Waste

Ship all transuranic waste now located at the INL to the Waste Isolation Pilot Plant (WIPP) by **December 31, 2018**



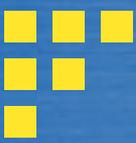
Transuranic Waste

- Began shipment of transuranic waste to WIPP on **April 27, 1999**
- Shipped **3100** cubic meters of transuranic waste by **October 21, 2002**
- Sent the first 3 year running average of **2000** cubic meters by **February 21, 2006**



Waste Treatment

- Construct and operate a mixed waste treatment facility (AMWTP)
- Started operation on **March 31, 2003**
 - Transuranic waste
 - Mixed waste
 - Mixed low-level waste

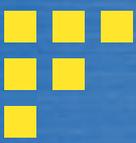


Remedies

- No shipments of spent fuel to Idaho
- \$60,000 penalty per day

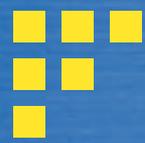
For failure to remove spent fuel

For failure to remove Navy spent fuel
from wet storage under Addendum



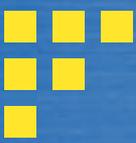
Lead Lab

- Establish the INL as DOE Spent Fuel Lead Lab
- Completed **October 26, 1995**
- “Lead site laboratory for management of the Department’s spent nuclear fuel”



Settlement Agreement Funds

- 30 million provided to Idaho between FFYs 1996-2000
- To be used for community transition purposes
 - Regional Development Alliance
 - Center for Advanced Energy Studies
 - BSU Small Business Development Center



State Expectations

- DOE to continue to meet interim requirements
- DOE to remove spent fuel and transuranic waste from Idaho
- DOE to have high level waste ready to be moved from Idaho by 2035
- DOE to provide appropriate funding to meet all requirements

Snake River Plain Aquifer

- Largest aquifer in Idaho
- Only source of drinking water for nearly 300,000
- Covers over 10,000 square miles
- Contains an estimated one billion acre feet of water

