

APPENDIX L
SCOPING COMMENT SUMMARY

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The U.S. Department of Energy (DOE) provided three opportunities for the public to provide scoping comments (2007 [72 *Federal Register* (FR) 14543]; 2010 [75 FR 41850]; and 2012 [77 FR 1920]). The public scoping periods extended from March 28, 2007, through May 29, 2007; July 19, 2010 through September 17, 2010; and January 12, 2012 through March 12, 2012. Scoping meetings were conducted on April 17, 2007, in Aiken, South Carolina; April 19, 2007, in Columbia, South Carolina; August 3, 2010, in Tanner, Alabama; August 5, 2010, in Chattanooga, Tennessee; August 17, 2010, in North Augusta, South Carolina; August 24, 2010, in Carlsbad, New Mexico; August 26, 2010, in Santa Fe, New Mexico; and February 2, 2012, in Pojoaque, New Mexico. This appendix summarizes issues raised and comments received during the public scoping periods. A more detailed summary of the comments received during the public scoping periods is available on the project website at <http://nnsa.energy.gov/nepa/spdsupplementaleis>.

Comment Summary: One commentor recounted the history of the plutonium declared surplus during the Clinton Administration and requested that DOE reconcile the quantities of plutonium by form and proposed disposition pathway.

Response: The quantities of plutonium that are analyzed in this *Surplus Plutonium Disposition Supplemental Environmental Impact Statement (SPD Supplemental EIS)* are described in Chapter 1, Section 1.5. Figure 1–7 summarizes the disposition paths for surplus plutonium.

Comment Summary: A commentor asked about DOE’s plan for additional plutonium disposition as the Nation’s nuclear weapons stockpile is retired.

Response: As described in Chapter 1, Section 1.5, the scope of this *SPD Supplemental EIS* is limited to 13.1 metric tons (14.4 tons) of surplus plutonium. Additional future declarations related to nuclear weapons stockpile retirement would be subject to appropriate National Environmental Policy Act (NEPA) review before a disposition path could be selected.

Comment Summary: Commentors were concerned about the composition of the surplus plutonium and where it is currently stored.

Response: DOE has information on the composition of all pit and non-pit plutonium. This information is sensitive and, therefore, has not been included in this *SPD Supplemental EIS*. As described in Chapter 2, Section 2.3.1, plutonium pits are safely stored at the Pantex Plant (Pantex) near Amarillo, Texas, and most surplus non-pit plutonium is in safe storage at the K-Area Complex at the Savannah River Site (SRS); the remaining surplus non-pit plutonium is in the process of being moved to SRS, and in the interim, is safely stored at other DOE sites.

Comment Summary: Commentors were concerned that related environmental impact statements (EISs) need to be updated before this *SPD Supplemental EIS* is issued and a decision made.

Response: This *SPD Supplemental EIS* is being prepared in accordance with applicable Council on Environmental Quality and DOE NEPA regulations. This *SPD Supplemental EIS* addresses all of the relevant issues and analysis covered in the other documents and updates the analyses where necessary. The other related EISs and supplement analyses, and the decisions announced in the Records of Decision (RODs) for these documents, remain valid, and in accordance with Council on Environmental

Quality and DOE NEPA regulations, do not need to be updated before this *SPD Supplemental EIS* can be issued.

Comment Summary: Commentors variously supported or opposed the individual surplus plutonium disposition options constituting the proposed alternatives. Commentors asked DOE to reconsider previous decisions, including fabrication of 34 metric tons (37 tons) of surplus plutonium into mixed oxide (MOX) fuel; the Preferred Alternative (MOX Fuel Alternative); eliminating the ceramic immobilization disposition option; and eliminating the disassembly of pits at Pantex. Some commentors supported the immobilization option, including extending it to the entire surplus plutonium inventory. A commentor asked that alternative approaches to surplus plutonium disposition be considered, including quicker, less costly methods.

Response: DOE has not made a decision with respect to the surplus plutonium analyzed in this *SPD Supplemental EIS* and could select any of the alternatives or a combination of alternatives. Chapter 2, Section 2.3, describes the alternatives evaluated in this *SPD Supplemental EIS*, and Section 2.4 describes the alternatives considered, but dismissed from detailed study. Immobilization of 50 metric tons (55 tons) of surplus plutonium was evaluated in the *Surplus Plutonium Disposition Final Environmental Impact Statement (SPD EIS)* (DOE 1999), and DOE selected the MOX approach for some of the material declared surplus for reasons set forth in the *SPD EIS* ROD (65 FR 1608). DOE is not revisiting the decisions announced in that ROD, or in the 2002 and 2003 amended RODs (67 FR 19432 and 68 FR 20134), other than the decision to construct and operate a stand-alone Pit Disassembly and Conversion Facility (PDCF). Although DOE is reconsidering the decision to build PDCF at SRS and is looking at other options, including using the Plutonium Facility (PF-4) at Los Alamos National Laboratory (LANL), DOE is not reconsidering its prior decision to not construct a pit disassembly and conversion capability at Pantex, an alternative considered in the *SPD EIS*.

Comment Summary: A comment was made that the proposed processing of some of the plutonium through H-Canyon as identified in the Notice of Intent (NOI) should be considered a separate alternative.

Response: As described in Chapter 2, Section 2.3.4, a separate H-Canyon/HB-Line to DWPF Alternative is evaluated.

Comment Summary: Commentors requested that DOE explain why disposal at the Waste Isolation Pilot Plant (WIPP) is a reasonable alternative. Some commentors expressed concerns about sending plutonium to WIPP.

Response: The direct disposal of 50 metric tons (55 tons) of surplus plutonium was eliminated from further analysis in the *Storage and Disposition of Weapons-Usable Fissile Materials Final Programmatic Environmental Impact Statement (Storage and Disposition PEIS)* because it would exceed the capacity of WIPP when added to DOE's inventory of transuranic (TRU) waste (DOE 1996:2-13). The disposal at WIPP of 13.1 metric tons (14.4 tons) of plutonium, which is approximately 26 percent of the amount considered in the *Storage and Disposition PEIS*, could be accomplished in a manner that would not exceed WIPP's capacity and, therefore, was considered to be a reasonable alternative in this *SPD Supplemental EIS*. A description of WIPP's capacity and the process that would be used to dispose of surplus plutonium as TRU waste at WIPP is contained in Appendix B, Sections B.1.3, B.2.1, and B.3; the environmental impacts of shipping waste to WIPP are described in Appendix E and the environmental impacts of disposal at WIPP are summarized in Appendix A, Section A.2.2.

Comment Summary: Commentors were concerned that plutonium disposal at WIPP is an affirmation that disposal of plutonium utilizing the Spent Fuel Standard, by which plutonium is placed in a material with a radiation barrier, is essentially dead.

Response: DOE believes that the action alternatives, including the WIPP Alternative, analyzed in this *SPD Supplemental EIS* meet the goals of the Spent Fuel Standard.

Comment Summary: Commentors requested that this *SPD Supplemental EIS* reanalyze the impacts of plutonium storage at the K-Area Complex.

Response: The impacts of long-term storage of plutonium at the K-Area Complex were previously analyzed in the *Supplement Analysis for Storage of Surplus Plutonium Materials in the K-Area Material Storage Facility at the Savannah River Site* (DOE 2002). These impacts were reanalyzed in Appendix H of this *SPD Supplemental EIS*.

Comment Summary: Hardened storage should be analyzed for immobilized wastes to protect them from risks posed by natural or manmade disasters and terrorist attack.

Response: As described in Appendix B, Section B.1.4.2, canisters containing cans of immobilized surplus plutonium would be filled with high-level radioactive waste (HLW) and stored in the Glass Waste Storage Buildings at SRS. The Glass Waste Storage Buildings have controls and engineered safeguards required by safety assessments that examine the potential for, and consequences of, accidents caused by natural phenomena and manmade events. The presence of immobilized plutonium in the canisters is not expected to appreciably change their performance in severe accidents and these wastes would not be considered an attractive target for terrorist attack. DOE considers risks associated with security and safety to determine whether or not a hardened structure is required. DOE does not believe that additional hardening of the Glass Waste Storage Buildings is needed to safely store immobilized waste containing surplus plutonium.

Comment Summary: Commentors expressed concern over the MOX fuel fabrication program, including the lack of interest in MOX fuel of commercial nuclear power plant operators; cost and schedule; and tying U.S. disposition activities to the Russian government's nuclear activities.

Response: MOX fuel use in commercial reactors is a demonstrated technology that has been used worldwide for over 40 years. DOE continues to pursue potential domestic commercial nuclear power customers. The Mixed Oxide Fuel Fabrication Facility (MFFF) would start up using existing surplus plutonium oxide supplies and would be built and operated as described in Appendix B, Section B.1.1.2, and Chapter 5, Section 5.3.2, of this *SPD Supplemental EIS*. The United States remains committed to the Agreement Between the Government of the United States of America and the Government of the Russian Federation Concerning the Management and Disposition of Plutonium Designated As No Longer Required for Defense Purposes and Related Cooperation (referred to as the "PMDA"), under which the United States and the Russian Federation have agreed to dispose of at least 34 metric tons (37.5 tons) of excess weapons-grade plutonium as fuel in nuclear reactors to produce electricity, or by any other method as may be agreed to by the parties in writing. It is important that the United States begins plutonium disposition operations to demonstrate progress to the Russian government, meet U.S. legislative requirements, and reduce the quantity of surplus plutonium and the concomitant cost of secure storage.

Comment Summary: A number of comments were received on MOX fuel use. Commentors were concerned about public health and safety risks associated with MOX fuel processing; the suitability of reactors for using MOX fuel; and MOX fuel use in reactors that had previously been uranium-fueled. Commentors requested that DOE discuss the potential use of MFFF beyond the publicly stated mission of producing MOX fuel for light water reactors.

Response: MOX fuel use in commercial reactors is a demonstrated technology that has been used worldwide for over 40 years. The risks of preparing MOX fuel in MFFF are discussed in Appendix G, Section G.2. The risks of using MOX fuel in domestic commercial nuclear power reactors are discussed in Appendix I, Sections I.1.2.2 and I.2.2.2. As described in Appendix B, Section B.1.1.2, MOX fuel could be fabricated for existing boiling water reactors and pressurized water reactors. DOE has no plans to use MOX fuel in other than light water reactors.

Comment Summary: Commentors were concerned about the impact of adding a plutonium oxidation function to MFFF and that adding this function could delay startup of MFFF.

Response: Appendix B, Section B.1.1.2, describes the oxidation furnaces that could be added to MFFF. DOE anticipates that addition of the oxidation furnaces would not affect the startup date for MFFF; the impacts of installation and operation of the oxidation furnaces at MFFF are described in Appendix F.

Comment Summary: Commentors requested information on plutonium in MOX fuel, including how much plutonium would be in the fresh MOX fuel and how much plutonium would remain when the fuel is withdrawn from the reactors following irradiation.

Response: The footnote at the introduction to Chapter 2 provides a description of the amount of plutonium-239 in fresh MOX fuel and the reduction in plutonium-239 after irradiation in a nuclear power reactor. In addition, Appendix J, Section J.2.2, compares the radionuclide inventory in a full low-enriched uranium (LEU) core to that in a partial MOX fuel core.

Comment Summary: Commentors expressed concern about human health risks and increased risk of accidents using a partial MOX fuel nuclear reactor core instead of a full uranium fuel core. Commentors said that this *SPD Supplemental EIS* must analyze beyond-design-basis accidents, including accidents involving used fuel pools, and a “river tsunami accident” as a result of upstream dam failure at the Tennessee Valley Authority (TVA) reactor sites. Commentors expressed concern that the accident at the Fukushima Dai-ichi Nuclear Power Station in Japan should be considered because the design of the reactors is similar to the design of the reactors at the Browns Ferry Nuclear Plant.

Response: Appendix I describes the potential impacts, including differences associated with the two types of nuclear reactor cores, and summarizes the results of the more detailed human health risk analysis presented in Appendix J. Appendix J, Section J.3.3, includes an analysis of beyond-design-basis accidents for the TVA reactors. Used fuel pool accidents are not typically evaluated in detail in reactor accident analysis because other accidents would have greater consequences. TVA has considered applicable natural phenomena, such as earthquakes, tornados, flooding, and dam failure, in Safety Analysis Reports prepared for each reactor (TVA 2009, 2010). This *SPD Supplemental EIS* does not evaluate a dam failure “river tsunami accident,” as this was not determined to be a credible accident in TVA’s Safety Analysis Reports. Appendix J, Section J.3.3.3, describes the U.S. Nuclear Regulatory Commission (NRC) recommendations developed in response to the accident at the Fukushima Dai-ichi Nuclear Power Station in Japan and subsequent actions that TVA has taken to further reduce the likelihood and severity of accidents at its nuclear plants.

Comment Summary: Commentors requested that NRC’s role in licensing the use of MOX fuel in commercial nuclear power reactors be explained.

Response: NRC regulations related to operation of domestic commercial nuclear power reactors are described in Chapter 5, Section 5.3.3, of this *SPD Supplemental EIS*. Domestic commercial nuclear power reactors undergo a rigorous licensing process under “Domestic Licensing of Production and Utilization Facilities” (10 *Code of Federal Regulations* [CFR] Part 50) or “Licenses, Certifications, and Approvals for Nuclear Power Plants” (10 CFR Part 52), beginning before facility construction and continuing throughout operation. Amendment to each reactor’s operating license would be required prior to MOX fuel being brought to the reactor sites and loaded into the reactors. Public meetings are regularly held in conjunction with plant licensing, and opportunities would be available for public hearings before any license amendment is issued.

Comment Summary: Commentors expressed concern about the use of TVA’s Sequoyah Nuclear Plant for the MOX fuel and tritium production missions.

Response: The interagency agreement with the National Nuclear Security Administration (NNSA) for tritium production requires TVA to use up to three of its pressurized water reactor units for tritium production. TVA decides how to use its pressurized water reactor units to meet DOE’s needs. To date, TVA has been able to produce all tritium needed by NNSA in Watts Bar Unit 1. Steps are being taken to prepare Sequoyah Units 1 and 2 to be capable of tritium production, if needed. Currently, TVA does not anticipate the need to perform tritium producing burnable absorber rod irradiation at Sequoyah for at least several years, if ever. TVA would not produce tritium and irradiate MOX fuel during the same fuel cycle.

Comment Summary: Commentors requested that this *SPD Supplemental EIS* describe the impacts of used MOX fuel on used fuel management at a reactor. In addition, commentors asked that this *SPD Supplemental EIS* describe where the used MOX fuel and the can-in-canister assemblies containing immobilized plutonium would be disposed of and the thermal impacts of used MOX fuel on an interim storage facility or geologic repository.

Response: DOE anticipates that MOX and LEU fuel assemblies would be managed similarly. As described in Appendix I, Section I.1, each LEU and MOX fuel assembly would be discharged from the reactor with its own unique burn-up level and decay heat. The used fuel assemblies would be placed in the used fuel pool to reduce decay heat. When the decay heat reaches manageable levels, the used fuel assemblies would be moved to dry storage casks. By the time used fuel assemblies are ready for dry storage, the decay heat for the LEU and MOX fuel assemblies would be similar.

DOE has terminated the program for a geologic repository for used nuclear fuel and HLW at Yucca Mountain, in Nevada. Notwithstanding the decision to terminate the Yucca Mountain program, DOE remains committed to meeting its obligations to manage and ultimately dispose of used nuclear fuel and HLW. DOE established the Blue Ribbon Commission on America’s Nuclear Future to conduct a comprehensive review and evaluate alternative approaches for meeting these obligations. The Commission report to the Secretary of Energy of January 26, 2012 (BRCANF 2012) provided a strong foundation for the development of the Administration’s January 2013 *Strategy for the Management and Disposal of Used Nuclear Fuel and High-Level Radioactive Waste* (DOE 2013). This Strategy provides a framework for moving toward a sustainable program to deploy an integrated system capable of transporting, storing and disposing of used nuclear fuel and high-level radioactive waste from civilian nuclear power generation, defense, national security and other activities. The link to the strategy is <http://energy.gov/downloads/strategy-management-and-disposal-used-nuclear-fuel-and-high-level-radioactive-waste>. Full implementation of this Strategy will require legislation.

Comment Summary: Commentors expressed concern about lead assembly testing at the Catawba Nuclear Station and the need to conduct lead assembly testing in the TVA reactors. A commentor stated that NRC regulations require reactor testing to the burn-up level being sought for licensing. MOX lead assemblies were only tested for two cycles at the Catawba Nuclear Station.

Response: Significant worldwide experience with the use of MOX fuel, coupled with lead assembly testing programs, including the one at Duke Energy's Catawba Nuclear Station, indicates acceptable MOX fuel performance in commercial nuclear power reactors. MOX fuel lead assemblies were successfully tested in the Catawba Nuclear Station Unit 1 reactor. The four MOX fuel lead assemblies performed safely; no safety limits were exceeded. The need for future lead test assemblies based on the reactor's planned use of MOX fuel (burn-up levels) will be determined by NRC as part of the fuel qualification and licensing process.

Comment Summary: Concerns were raised about TVA, including the condition of reactors, public safety procedures, and TVA's ability to remain focused on its core mission.

Response: TVA's reactors are licensed by NRC to operate safely, and NRC would perform a comprehensive safety review before MOX fuel could be used. Ultimately, NRC would make any decisions related to future use of MOX fuel in TVA reactors as a result of this review process. TVA remains committed to its core mission and expects that MOX fuel could help fulfill this mission, as a safe and cost-effective fuel to generate electricity.

Comment Summary: Some commentors were concerned that DOE, rather than TVA, would make the decision to use MOX fuel at TVA's nuclear power reactors.

Response: The decision to use MOX fuel in the reactors at the Browns Ferry and/or Sequoyah Nuclear Plants would be made independently by TVA subject to license amendment by NRC.

Comment Summary: Commentors expressed concern about processing more plutonium through the Defense Waste Processing Facility (DWPF).

Response: As described in Appendix B, Section B.1.4.1, and analyzed in Appendix G, DOE has analyzed the potential environmental impacts of increasing the plutonium loading in DWPF canisters.

Comment Summary: Commentors were concerned that construction of a pit disassembly and conversion capability at SRS could result in another expensive, excess facility.

Response: As described in Chapter 1, Section 1.4, DOE is revisiting its previous decision to construct a stand-alone PDCF at SRS. See Chapter 2, Section 2.1, for a description of the pit disassembly and conversion options that DOE evaluates in this *SPD Supplemental EIS*.

Comment Summary: Commentors had numerous questions about the characteristics of existing facilities that would be used for plutonium disposition, including MFFF, H-Canyon/HB-Line, and DWPF at SRS; WIPP; and PF-4 at LANL.

Response: Appendix B describes the facilities that could be used for surplus plutonium disposition at SRS, LANL, and WIPP, including building and process line modifications and plutonium throughput. The environmental impacts and human health risks of construction and operation of these facilities are described in Appendices F (Impacts of Pit Disassembly and Conversion Options), G (Impacts of Plutonium Disposition Options), and H (Impacts of Principal Plutonium Support Facilities). The environmental impacts and human health risks of construction and operation of the alternatives are described in Chapter 4, including the potential impacts of accidents at DOE facilities in Section 4.1.2.2.

Transportation impacts are described in Appendix E. Impacts from TRU waste disposal at WIPP are analyzed in the *Waste Isolation Pilot Plant Disposal Phase Final Supplemental Environmental Impact Statement* (DOE 1997) and briefly described in Appendix A, Section A.2.2.

Comment Summary: Some commentors expressed concerns or requested that additional information be included in this *SPD Supplemental EIS* about consequences of potential accidents, security of nuclear materials, routine and accidental releases of radionuclides, worker safety, waste processing, synergistic effects of operating multiple facilities at SRS (i.e., cumulative impacts), dose calculation methods, transportation, the fate of waste vitrified at DWPF, and disposition of equipment after the surplus plutonium disposition activities are completed.

Response: Chapter 4 and supporting appendices of this *SPD Supplemental EIS* include analyses and discussions of these issues.

Comment Summary: Commentors were concerned about the risks of sabotage, theft, and terrorist attack on plutonium disposition facilities and transportation vehicles.

Response: The consequences of intentional destructive acts are described in Chapter 4, Section 4.1.2.5. This analysis is supported by a classified appendix to this *SPD Supplemental EIS* that is not available to the public.

Comment Summary: Commentors requested information on the environmental impacts and risks of expanded pit disassembly and conversion at PF-4 at LANL, including seismic and wildfire risks.

Response: Appendix F includes analyses of the environmental impacts and human health risks of expanded pit disassembly and conversion in PF-4, including the effects of handling larger quantities of plutonium in metal and oxide form. Appendix D, Section D.1.5.2.11, provides more-detailed information on accidents at PF-4, including consideration of natural phenomena hazards such as earthquakes, volcanoes, and wildfires, and describes the completed and planned seismic upgrades to PF-4. To be conservative, the accident analyses in this *SPD Supplemental EIS* consider the current state of PF-4 without future seismic upgrades.

Comment Summary: A number of comments were received on the transportation of surplus plutonium, including risk of accidents, risk of transporting plutonium oxide powder, energy requirements, climate change impacts, and cumulative impacts.

Response: Chapter 4 addresses the issues raised. All shipments on public roads that contain plutonium pits or metal, or plutonium oxide powder would utilize NNSA's Secure Transportation Asset. All shipments would be in compliance with applicable U.S. Department of Transportation, NRC, and DOE requirements. Transportation impacts are described in Chapter 4, Section 4.1.5, and Appendix E. Cumulative transportation impacts and climate change impacts, including consideration of fuel used for transportation, are described in Chapter 4, Section 4.5. Notification of pending shipments would be given to state and Federal agencies in accordance with existing regulations and agreements. For security reasons, notice would not be given to the public.

Comment Summary: A commentor suggested an alternative transportation route to WIPP.

Response: DOE is evaluating representative transportation routes for TRU waste to WIPP in this *SPD Supplemental EIS*, and will not be selecting specific shipping routes.

Comment Summary: Commentors expressed concern that surplus plutonium disposition activities may interfere with cleanup and remediation activities and other projects at the DOE sites.

Response: The alternatives analyzed in this *SPD Supplemental EIS* take into account the availability of facilities and their closure schedules. Information relevant to these issues is presented in the description of the alternatives in Chapter 2, Section 2.3. DOE expects there would be minimal disruption of cleanup and remediation activities at DOE sites.

Comment Summary: Commentors had concerns about environmental justice issues related to Native American pueblos near LANL. Commentors requested that community meetings be held in each pueblo and connecting river community within a 100-mile (161-kilometer) radius from LANL to honor the government-to-government consultation process. A commentor asked that DOE include Native American tribal perspectives in this *SPD Supplemental EIS*.

Response: Chapter 3, Section 3.2.11, describes minority and low-income populations near LANL. Chapter 4, Section 4.1.6, analyzes environmental justice impacts of the alternatives for surplus plutonium disposition at LANL, including consideration of a tribal exposure or special pathways scenario and has concluded that Native Americans living near LANL are not exposed to elevated risks compared to nonminority populations living in the same area, and that the risks associated with the activities proposed to be done at LANL are small. In support of its public outreach effort, DOE conducted three public scoping meetings in Carlsbad, Pojoaque (on the Pueblo of Pojoaque), and Santa Fe, New Mexico. DOE has a significant tribal outreach program with the pueblos surrounding LANL and routinely meets with interested pueblo governments to discuss issues of mutual concern. In support of this *SPD Supplemental EIS*, DOE will continue to hold discussions with Native American groups and tribal governments.

Comment Summary: Commentors requested specific details about monitoring and emergency response plans.

Response: Some of the details requested, such as what radionuclides or other elements could be released from normal operations and DOE facility accidents, are included in the radiological analyses in Chapter 4, Section 4.1.2, and Appendices C and D of this *SPD Supplemental EIS*. Information about SRS, LANL, and TVA emergency response plans appears in Chapter 3, Sections 3.1.6.5, 3.2.6.5, 3.3.1.2, and 3.3.2.2. Other information about monitoring may be found in other documents, such as the SRS, LANL, and WIPP annual environmental reports (accessible at <http://www.srs.gov/general/pubs/ERsum/index.html>, <http://www.lanl.gov/community-environment/environmental-stewardship/environmental-report.php>, and http://www.wipp.energy.gov/Documents_Environmental.htm, respectively).

Comment Summary: Commentors were interested in the background and structure of DOE and its ability to execute whichever alternative is selected in the ROD.

Response: On August 4, 1977, President Carter signed the Department of Energy Organization Act, creating DOE from the Federal Energy Administration and the Energy Research and Development Administration. DOE's mission is to ensure America's security and prosperity by addressing its energy, environmental, and nuclear challenges through transformative science and technology solutions. NNSA was established by Congress in 2000 as a separately organized, semiautonomous agency within DOE, responsible for the management and security of the Nation's nuclear weapons, nuclear nonproliferation, and naval reactor programs. DOE/NNSA has been working toward disposition of surplus plutonium for many years. As described in Appendix A, Section A.1, accomplishments to date include disposal of plutonium as TRU waste at WIPP; consolidation of surplus non-pit plutonium at SRS; and the ongoing construction of MFFF and the Waste Solidification Building. Surplus plutonium disposition activities are subject to the availability of funds appropriated by Congress.

Comment Summary: DOE received a number of comments on the public outreach effort. Commentors expressed dissatisfaction with notification for the public scoping meetings, numbers of scoping meetings, time allocated to comment, and scoping materials. A commentor requested that meetings be planned in collaboration with interested parties.

Response: DOE provided notice of public scoping meetings near potentially affected sites using a variety of media, including the *Federal Register*, the project website, press announcements, advertisements in local newspapers, and bulk mailings to persons on the project mailing list. DOE believes that the format of the scoping meetings and length of the public scoping period were adequate. DOE also believes that there was an appropriate number of scoping meetings, which were held in eight locations across the country. Commentors were also provided the opportunity to submit comments via mail, fax and email. Opportunities are available for individuals to be placed on the mailing list in order to receive updates and announcements related to this *SPD Supplemental EIS*. DOE considered public comments in preparing the materials disseminated during the public hearings on the *Draft SPD Supplemental EIS*.

Comment Summary: A commentor requested that public hearings on the *Draft SPD Supplemental EIS* be held in Albuquerque and Santa Fe, New Mexico.

Response: DOE considered the request for meetings in Albuquerque and Santa Fe, New Mexico when planning for public hearings on the *Draft SPD Supplemental EIS*.

Comment Summary: Commentors expressed concern that the proposed use of MOX fuel is inconsistent with U.S. nonproliferation policy.

Response: The proposed use of MOX fuel is consistent with U.S. nonproliferation policy and international nonproliferation agreements. Use of MOX fuel would ensure that surplus plutonium is rendered into a used fuel form not readily usable for nuclear weapons.

A number of other issues raised by commentors are outside the scope of this *SPD Supplemental EIS*, including plutonium recycling, plutonium production, a nuclear-free world, war and nuclear weapons, mining sites that are contaminated and unsafe, the number of contractors with foreign roots involved in surplus plutonium disposition activities, concern that the surplus plutonium disposition program could be manipulated by special interests, the impacts of AREVA's operations in Europe, financial arrangements with utilities to use MOX fuel, TVA's interest in building new plants and its involvement in energy conservation and renewable energy, existing conditions at nuclear power reactors that are not a part of the proposed action, establishing a disposition path for the research reactor fuel in storage at SRS by processing through H-Canyon, compensation for local communities for extending plutonium storage at SRS, funding the complete cleanup of SRS, the presence of radioactive chemicals in the Rio Grande and Albuquerque drinking water, conduct of public meetings on the *Final Supplemental Environmental Impact Statement for the Nuclear Facility Portion of the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory, Los Alamos, New Mexico* (DOE 2011), how the fate of waste vitrified at Hanford affects the proposed immobilization activities, support for other energy sources, emissions from coal-fired power plants, fluoride in toothpaste, and an invention to produce electricity.

L.1 References

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TVA (Tennessee Valley Authority), 2010, *Sequoyah Nuclear Power Plant – Updated Final Safety Analysis Report, Amendment 22*, Chattanooga, Tennessee, May 24.