

1995 Settlement Agreement

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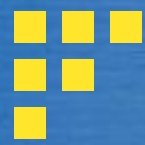
Idaho Department of Environmental Quality

April 7, 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.**”



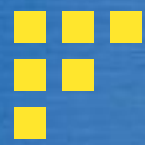
Spent Nuclear Fuel

- 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 to Waste Isolation Pilot Plant (WIPP) by **December 31, 2018**
- Buried Waste Agreement:
 - 5.69 acres excavated
 - 7485 cubic meters shipped out of Idaho
 - Continuing remedies and final cap under CERCLA

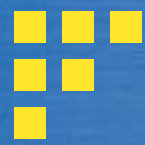


Remedies

- 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



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

