

LLW *notes*

Volume 28, Number 6 November/December 2013

Low-Level Radioactive Waste Forum, Inc.

Register Now for Spring 2014 LLW Forum Meeting ***Downtown Omni Hotel in Austin, Texas: March 17-18, 2014*** ***Optional WCS and URENCO USA Site Tours: March 19, 2014***

Interested stakeholders are encouraged to register at the earliest convenience for the spring 2014 meeting of the Low-Level Radioactive Waste Forum, Inc.—which will be held at the Downtown Omni Hotel in Austin, Texas on March 17-18, 2014. The meeting is being co-sponsored by the Texas Commission on Environmental Quality (TCEQ) and Waste Control Specialists LLC (WCS).

When making travel arrangements, please note that there will be an optional site tour of the WCS and URENCO USA facilities for interested meeting attendees from approximately 9:00 am – 3:00 pm on March 19, 2014. Persons participating in the site tour will have to travel to Andrews immediately following the conclusion of the LLW Forum meeting at 1:00 pm on March 18. The closest airport is Hobbs, New Mexico—which is served by United Airlines through Houston Intercontinental (IAH). Other options include Carlsbad air service to Albuquerque (ABQ) via New Mexico Airlines (pacificwings.com/nma) or the Midland airport in Texas. Pre-registration for the site tour is required.

The meeting documents have been posted to the LLW Forum's web site at www.llwforum.org.

Attendance

Officials from states, compacts, federal agencies, nuclear utilities, disposal operators, brokers/processors, industry, and other interested parties are invited and encouraged to attend.

The meeting is an excellent opportunity to stay up-to-date on the most recent and significant developments in the area of low-level radioactive waste management and disposal. It also offers an important opportunity to network with other

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The Low-Level Radioactive Waste Forum, Inc. is dedicated to the goals of educating policy makers and the public about the management and disposal of low-level radioactive wastes, and fostering information sharing and the exchange of views between state and compact policy makers and other interested parties.

As part of that mission, the LLW Forum publishes a newsletter, news flashes, and other publications on topics of interest and pertinent developments and activities in the states and compacts, federal agencies, the courts and waste management companies. These publications are available to members and to those who pay a subscription fee.

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Low-Level Radioactive Waste Forum, Inc.

LLW Notes

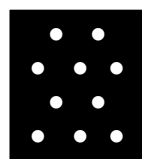
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Directors that serve on the Board of the Low-Level Radioactive Waste Forum, Inc. are appointed by governors and compact commissions. The LLW Forum, Inc. was established to facilitate state and compact implementation of the Low-Level Radioactive Waste Policy Amendments Act of 1985 and to promote the objectives of low-level radioactive waste regional compacts. The LLW Forum, Inc. provides an opportunity for state and compact officials to share information with each another and to exchange views with officials of federal agencies and other interested parties.



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Key to Abbreviations

U.S. Department of Energy	DOE
U.S. Department of Transportation.....	DOT
U.S. Environmental Protection Agency	EPA
U.S. Government Accountability Office	GAO
U.S. Nuclear Regulatory Commission	NRC
Naturally-occurring and accelerator-produced radioactive material	NARM
Naturally-occurring radioactive material.....	NORM
Code of Federal Regulations.....	CFR

Low-Level Radioactive Waste Forum, Inc. *continued*

(Continued from page 1)

government and industry officials and to participate in decision-making on future actions and endeavors affecting low-level radioactive waste management and disposal.

Location and Dates

The March 2014 LLW Forum meeting will be held in Austin, Texas on Monday, March 17, 2014, from 9:15 am-5:00 pm, and Tuesday, March 18, 2014, from 9:00 am-1:00 pm. (See below for information regarding the optional site tour of the WCS and URENCO USA facilities.)

The meeting will be held at:

Omni Austin Hotel Downtown
700 San Jacinto
Austin TX 78701
www.omnihotels.com
(512) 476-3700

Registration

All persons must pre-register for the meeting and pay any associated registration fees in order to be allowed entry. Registration forms are needed in order to ensure that you receive a meeting packet and name badge. Accordingly, interested attendees are asked to please take a moment to complete the registration form at your earliest convenience and return it to Farrah Court of the TCEQ at the address, e-mail or fax number listed at the bottom of the form.

The meeting is free for up to two individuals representing members of the LLW Forum. Additional and non-member registration is \$500, payable by check only to the "LLW Forum, Inc." (Credit card payments are not accepted.)

Reservations

Persons who plan to attend the meeting are strongly encouraged to make their hotel reservations and send in their registration forms as soon as possible, as we have exceeded our block at the last few meetings.

A limited block of 60 rooms has been reserved for Sunday (March 16) and Monday (March 17) for meeting attendees at the special, discounted rate of \$120 (single rate) plus tax. A limited number of rooms are available at this rate for Tuesday, (March 18).

To make a reservation, please call (512) 476-3700. The deadline for reserving a room at the discounted rate is February 24, 2014. Please ask for the Low-Level Radioactive Waste Forum block.

Transportation and Directions

The Omni Austin Hotel Downtown is located approximately 11 miles from the Austin Bergstrom International Airport on Hwy 71. Shuttle service is available at www.supershuttle.com. Other options can be found online.

Optional Site Tour

Meeting attendees are invited to participate in an optional tour of the WCS and URENCO USA facilities from approximately 9:00 am – 3:00 pm on March 19, 2014. Persons participating in the site tours will have to travel to Andrews immediately following the conclusion of the LLW Forum meeting at 1:00 pm on March 18. The closest airport is Hobbs, New Mexico—which is served by United Airlines through Houston Intercontinental (IAH). Other options include Carlsbad air service to Albuquerque (ABQ) via New Mexico Airlines (pacificwings.com/nma) or the Midland airport in Texas.

A hotel block has been set up for site tour participants at the Oakwood Suites Hotel in Andrews, Texas.

Oakwood Suites Hotel
601 S. Main Street
Andrews, TX 79714
(432) 355-4313

Low-Level Radioactive Waste Forum, Inc. *continued*

Site tour attendees are strongly encouraged to make your hotel reservations at your earliest convenience as there are only a limited number of rooms available at the discounted rate of \$149.95 plus tax per night for Tuesday evening, March 18. (There is another group renting out many of the local hotel rooms for a 3-month block of time, so space is extremely limited.) To make a reservation at the discounted rate, please call the Oakwood Suites Hotel at (432) 355-4313 and ask

for a room in the Low-Level Radioactive Waste Forum (LLW Forum) block. *The room block and discounted rate will close to new reservations on February 18 unless filled earlier.*

For additional information, please contact Todd D. Lovinger, the LLW Forum's Executive Director, at (754) 779-7551 or go to www.llwforum.org.

Low-Level Radioactive Waste Forum Meetings *Fall 2013 and Beyond*

The following information on future meetings of the Low-Level Radioactive Waste Forum is provided for planning purposes only. Please note that the information is subject to change.

For the most up-to-date information, please see the LLW Forum's web site at www.llwforum.org.

2014 Meetings

The State of Texas and Waste Control Specialists LLC (WCS) have agreed to co-host the spring 2014 meeting in Austin, Texas. The meeting will be held at the Omni Hotel in Austin, Texas on March 17-18, 2014. There will be an optional site tour of the WCS and URENCO USA facilities for interested attendees as well on March 19, 2013.

The Midwest Interstate Low-Level Radioactive Waste Compact Commission and the Rocky Mountain Low-Level Radioactive Waste Board have agreed to co-host the fall 2014 meeting in Denver, Colorado. The meeting is scheduled to be held at the Embassy Suites Hotel in downtown Denver, Colorado on October 30-31, 2014.

Search for Volunteer Hosts for 2015 Meetings

The LLW Forum is currently seeking volunteers to host both the spring and fall 2015 meetings and those thereafter. Although it may seem far off, substantial lead-time is needed to locate appropriate facilities.

If your state or compact has not hosted a meeting in the past two years, we ask that you consider doing so. If necessary, we may be able to assist you in finding a co-host.

Non-state and non-compact entities are eligible to co-host LLW Forum meetings, so please let us know if your company or organization is interested in doing so.

Anyone interested in potentially hosting or sponsoring a meeting should contact one of the officers or Todd D. Lovinger, the organization's Executive Director, at (754) 779-7551 or at LLWForumInc@aol.com.

Central Interstate Compact Commission

Central Interstate Compact Commission Holds Teleconference Meeting

On November 21, 2013, the Central Interstate Low-Level Radioactive Waste Commission held a special teleconference meeting beginning at 10:00 a.m.

Purpose

The purpose of the special teleconference meeting was to take necessary action on meeting minutes, KPMG Audit FY 2012-2013, new auditor agreement, bylaw change to Article VII(E), generator survey questions, legal counsel report on contact with major generators regarding settlement funds interest, discussion on LLW Forum membership, discussion on relocation of Commission's office, and all other business to come before the Commission.

Agenda

The following items were on the draft agenda for the meeting:

- ♦ Call to Order and Roll Call
- ♦ Introduction and Discussion re: Relocation of Commission Offices and LLW Forum Membership – Chair
- ♦ Approve Minutes of June 12, 2013 Annual Meeting
 - Questions/Discussion by Commissioners
 - Questions/Discussion by Public
 - Roll Call Vote
- ♦ Approve Minutes of October 3, 2013 Special Meeting
 - Questions/Discussion by Commissioners
 - Questions/Discussion by Public
 - Roll Call Vote
- ♦ Approve KPMG Audit for Fiscal Years 2012-2013
 - Questions/Discussion by Commissioners
 - Questions/Discussion by Public
 - Roll Call Vote
- ♦ Bylaw Change – Article VII(E)
 - Questions/Discussion by Commissioners
 - Questions/Discussion by Public
 - Roll Call Vote
- ♦ Review & Approve Questions for Survey of CILLRWC Generators and Authorize Release of Survey to Generators
 - Questions/Discussion by Commissioners
 - Questions/Discussion by Public
 - Roll Call Vote
- ♦ Legal Counsel Report on Discussions with Major Generator Attorneys Regarding Settlement Fund Interest & Vote to Use Settlement Fund Interest for Administrative Purposes
 - Questions/Discussion by Commissioners
 - Questions/Discussion by Public
 - Roll Call Vote
- ♦ Set Date/Time for Next Meeting
 - At its June 2013 Annual Meeting, the Commission set the date for its next annual meeting as June 10, 2014 in Oklahoma. If, during today's meeting, the Commission determines an additional special meeting is needed prior to the Annual Meeting, this time will be used to set that date.
- ♦ Adjourn

An agenda, kept continuously, was available by contacting the Commission's Office or visiting their web page.

For additional information, please contact the Central Interstate Commission at (402) 476-8247 or at www.cillrwcc.org.

NRC Monitors Unusual Event at Arkansas Nuclear One

On December 9, 2013, the U.S. Nuclear Regulatory Commission announced that the agency activated its incident response center in Arlington, Texas, following the declaration of an Unusual Event at the Arkansas Nuclear One nuclear power plant. The plant, operated by Entergy Operations, Inc., is located in Russellville, Arkansas.

The Unusual Event was declared by operators at 8:00 a.m. CST after Unit 2 experienced a transformer explosion in an electrical switchyard. The interruption of electrical power to Unit 2 caused protective systems to shut down the reactor.

Operators will keep the Unit 2 reactor offline while the cause of the explosion is investigated and a determination is made on what repairs are necessary. Unit 1 remains operating at about 95 percent power.

No radiation releases have been reported. Power is being supplied to Unit 2 by an emergency diesel generator and one source of offsite power and plant conditions are stable. There are normally two sources of offsite power.

An Unusual Event is the lowest of four nuclear emergency classifications and means events indicate a potential degradation of the level of safety of a plant. Upon the declaration of the Unusual Event, the NRC's senior resident inspector assigned to the site went inside the plant's control room to monitor the licensee's response to the event.

For additional information, please contact Victor Dricks at (817) 200-1128 or Lara Uselding at (817) 100-1519.

Northwest Compact/State of Utah

Proposed Rule Changes re Utah LLW License Requirements & Enforcement

On November 15, 2013, the Utah Department of Environmental Quality announced the beginning of a formal 30 day public comment period to receive comment on the proposed rule changes to R313-25, "License Requirements for Land Disposal of Radioactive Waste – General Provisions," and R313-14, "Violations and Escalated Enforcement."

R313-25: License Requirements LLRW Land Disposal

Preliminary proposed changes to R313-25 would:

- ◆ add a new definition of "approval application," taken from H.B. 124;
- ◆ add a new definition of "day," to clarify that the deadlines for each category are in calendar days;
- ◆ add a definition of "groundwater permit," since those permits will also now be addressed in the rule;
- ◆ add a definition of "tolling period" to clarify the provisions of the rule (and of H.B. 124) that toll DRC's deadlines for, e.g., public comment periods;
- ◆ add a new section that creates each category, describes which approval applications apply, specifies a deadline for DRC action, and describes tolling provisions;
- ◆ add a provision that allows the Director to reject a substantially deficient application (the application may be resubmitted with the required information but the review clock would be reset);
- ◆ add "Rule," "Section," and "Subsection," as appropriate, in front of rule citations in

accordance with the "Rule Writing Manual for Utah;" and,

- ♦ renumber provisions to accommodate new Section R313-25-6 and make minor clarifications and corrections.

R313-14: Violations and Escalated Enforcement

The proposed changes to Rule R313-14 would:

- ♦ double the potential penalty for each violation severity level;
- ♦ eliminate a provision that limited the Director's ability to require a response under oath to civil penalties and orders, since it was unclear how the requirement could be broader than that;
- ♦ prescribe a specific time, 90 days, rather than relying on the ambiguous term "reasonable time" for correcting a violation in order to avoid a penalty for self-reported problem;
- ♦ add "Rule," "Section," and "Subsection," as appropriate, in front of rule citations in accordance with the "Rule Writing Manual for Utah;" and,
- ♦ make minor language clarifications and corrections.

Submitting Comments

Written comments on the proposed rule changes, which were published in the Utah State Bulletin, were accepted until the close of business on December 16, 2013.

The rules may become effective on January 21, 2014.

For additional information, please contact Rusty Lundberg, Director of the Division of Radiation Control at the Utah Department of Environmental Quality, at (801) 536-4257 or at rlundberg@utah.gov or go to http://www.rules.utah.gov/publicat/bull_pdf/2013/b20131115.pdf.

Utah DEQ Issues Public Notice re Amendment to Clive Facility License

EnergySolutions' LLW Radioactive Material License (Amendment 16)

On November 15, 2013, the Utah Department of Environmental Quality, Division of Radiation Control (DRC), announced that it is soliciting public comment regarding a proposed licensing action by the Director of the Utah Division of Radiation Control to amend EnergySolutions' low-level waste radioactive material license (RML UT2300249).

Proposed Changes

In Amendment 16 of the license, the DRC is proposing to approve changes to license conditions 4, 22, 31, 32.E, 39.E, 43, 73.A.iii. and iv., 73.B, 76 and 77. There are both major and minor changes to the license conditions as per R313-17-2(1)(a). A description and explanation of the changes are documented in the Statement of Basis for Amendment 16.

The DRC originally issued a license to EnergySolutions in 1988. Later the license was renewed on October 22, 1998 and again on January 25, 2008. The public notice is for Amendment 16 of the January 25, 2008 renewed license.

Submitting Comments

A thirty-day public comment period commenced by publication of the notice on the DRC's webpage and distribution by electronic mail server on November 15, 2013. The notice was also placed in the *Salt Lake Tribune*, the *Deseret News*, and the *Tooele County Transcript-Bulletin*.

Public comments were invited any time prior to 5:00 pm on December 17, 2013. Written

States and Compacts *continued*

comments may be directed to Rusty Lundberg, Utah Division of Radiation Control, P.O. 144850, Salt Lake City, UT 84114-4850, or by email at radpublic.utah.gov.

Hearing Opportunity

A public hearing will be scheduled if requested by any citizen on or before November 29, 2013. The purpose of the public hearing will be to take oral comments on the proposed changes.

If a public hearing is to be requested, it will be held at the Utah Department of Environmental Quality located at 195 North 1950 West in Salt Lake City, Utah. Notification of the public hearing will be distributed by electronic mail server and posted on the DRC's webpage.

All comments received will be considered in the formulation of final determinations to be imposed on the amended License.

A draft license and the Statement of Basis for Amendment 16 can be found on the DRC web page at <http://www.radiationcontrol.utah.gov>.

For additional information, please contact Rusty Lundberg, Director of the Division of Radiation Control at the Utah Department of Environmental Quality, at (801) 536-4257 or at rlundberg@utah.gov.

Proposed Rule Changes re Specific Licenses, Well Logging, and Fees Payment

On December 1, 2013, the Utah Department of Environmental Quality announced the opening of a formal 30-day public comment period to receive comment on the proposed changes to R313-22-34, "Issuance of Specific Licenses;" R313-38-3, "Clarifications or Exceptions, Licenses and

Radiation Safety Requirements for Well Logging;" and, R313-70-5, "Payment of Fees."

R313-22-34: Issuance of Specific Licenses

The proposed change to Section R313-22-34 would change the renewal interval for specific licenses from five years to ten years; however, new specific licenses would still be required to be renewed at a five-year interval to establish the new licensees' performance with regulatory compliance.

In addition, the proposed change would allow the Director flexibility to shorten the renewal cycle to less than ten years based on poor performance or regulatory compliance issues. Some reasons for a shorter renewal interval include new company management, new technologies, poor regulatory performance, or other situations that would warrant increased license reviews by the agency. In addition, this proposed change is consistent with the Nuclear Regulatory Commission's specific license renewal cycles.

This rule may become effective on January 15, 2014.

R313-38-3: Well Logging

The proposed changes to Section R313-38-3 would:

- ♦ update the incorporation of the outdated 2008 version of Title 10, *Code of Federal Regulations* Part 39, with the current 2013 version of Title 10, *Code of Federal Regulations* Part 39, and
- ♦ R313-38-3(5)(f) references Sec. 20. 205 is no longer valid and with this proposed rule change will be updated to Sec. 20. 2106.

This rule may become effective on January 21, 2014.

States and Compacts *continued*

R313-70-5: Payment of Fees

The proposed change to Section R313-70-5 would add new language stating as follows:

“Specific license renewals issued pursuant to the provisions in R313-22 may be valid for a period of ten years or less in accordance with R313-22-34(1)(b) and (1)(c).”

Most specific licensees impacted by the proposed rule find the preparation of license renewal applications time consuming and would prefer the renewal interval to be extended to ten years. In general, specific licensees are supportive of modifying the renewal interval to ten years.

This rule may become effective on January 15, 2014.

Submitting Comments

Written comments will be accepted until the close of business on Tuesday, December 31, 2013. Written comments may be submitted either by correspondence to

- ♦ the Utah Division of Radiation Control mailing address at P.O. Box 144850, Salt Lake City, UT 84114-4850;
- ♦ the street address at 195 North 1950 West, Salt Lake City, UT 84116; or,
- ♦ email to radpublic.utah.gov.

Comments sent via e-mail should be identified by putting the following in the subject line: “Public Comment on Proposed Radiation Control Rules.”

All comments received within this comment period will be provided to the Radiation Control Board for its consideration at the January 14, 2014 Board meeting.

For additional information, please contact Rusty Lundberg, Director of the Division of Radiation Control at the Utah Department of Environmental Quality, at (801) 536-4257 or at

rlundberg@utah.gov or go to http://www.rules.utah.gov/publicat/bull_pdf/2013/b20131201.pdf.

Utah DEQ Hosts Open House re Clive's DU Performance Assessment

On November 13, 2013, the Utah Department of Environmental Quality (DEQ) sponsored an informal open house to discuss the agency's review of the Depleted Uranium Performance Assessment submitted by EnergySolutions.

The open house was scheduled from 4:00 to 6:00 pm in the DEQ Board Room at 195 N. 1950 West in Salt Lake City, Utah. During the open house, DEQ representatives and agency contractors were on-hand to answer questions from the public on the review process.

DEQ anticipates that the review will not be complete for 8 to 10 more months. A formal public comment period will be held once the review is completed, which is anticipated to occur sometime in the summer of 2014.

Background

On April 14, 2010, the Utah Radiation Control Board (RCB) approved a new rule that required EnergySolutions to conduct a performance assessment before disposing of depleted uranium. Subsequently, on November 9-10, 2010 and on February 1, 2011, the Division of Radiation Control (DRC) sponsored Technical Education discussion sessions about the Performance Assessment.

On June 1, 2011, EnergySolutions submitted a Performance Assessment for the disposal of significant quantities of concentrated Depleted

States and Compacts *continued*

Uranium (DU) at the company's facility in Clive, Utah. The Performance Assessment was a site-specific evaluation to determine whether there is reasonable assurance of compliance with regulatory performance objectives and in identifying critical data, facility design, and modeling procedures to determine if DU can be safely managed at the EnergySolutions facility.

In August 2013, DEQ hired an outside contractor—S. Cohen & Associates (SC&A) from Virginia—to evaluate the Performance Assessment to determine if it is adequate and addresses the necessary requirements. The results of this review and subsequent responses by EnergySolutions will be used by the Division of Radiation Control (DRC) Director to make a determination as to whether or not to issue a license amendment allowing significant quantities of concentrated DU to be disposed at the EnergySolutions' facility.

By letter dated October 28, 2013, DEQ transmitted comments on the Preliminary Completeness Review of the DU Performance Assessment to EnergySolutions. The letter requested that EnergySolutions provide a written response by November 8, 2013, if possible.

EnergySolutions' performance assessment is located on the DEQ website at <http://www.radiationcontrol.utah.gov/EnSolutions/depleteduranium/performanceassess/duperfass.htm>.

Utah Radiation Control Board Holds November 2013 Meeting

On November 12, 2013, the Utah Radiation Control Board held a regularly scheduled meeting in Conference Room 1015 of the Multi Agency State Office Building at 195 North 1950 West in Salt Lake City, Utah. The meeting—which was open to the public—began at 1:00 pm.

The following items, among others, were on the November 2013 meeting agenda:

- I. Welcome
- II. Approval of the Minutes from the October 8, 2013 Board Meeting
 - a. Working Lunch Meeting Minutes from October 2013
- III. Administrative Rulemaking
 - a. Action on Petition for Rulemaking—Requested Changes to R313-22-33 and R313-22-37
 - i. EnergySolutions' Revised Rule Petition
 - ii. Rule R313-22-34
 - iii. Rule R313-70
 - iv. Board Action Item
 - v. Rule Making Petition General Summary
 - b. Approve for Rulemaking and Public Comment—Proposed Changes to R313-38, Licenses and Radiation Safety Requirements for Well Logging
 - c. Rulemaking Schedule for Adopting Recent Nuclear Regulatory Commission (NRC) Regulations
 - d. Review and Discussion of Preliminary Draft Proposed Changes to R313-26, Generator Site Access Permit Requirements
 - i. Report from Board Subcommittee
- IV. Information Items
 - a. Review of Open and Public Meetings Act, Public Officers' and Employees' Ethics Act, and Related DEQ Rules
 - b. Radon Poster Contest Update
 - c. Uranium Mills
 - i. Energy Fuels Resources—White Mesa Mill
 1. Public Meetings—Summary Report from Staff

- d. Low-Level Radioactive Waste
 - i. Low-Level Radioactive Waste Forum Meeting (October 22-23, 2013)—Summary Report
 - ii. Depleted Uranium Performance Assessment Update
 - 1. Stakeholder Open House—November 13, 2013
- e. Other Division Items

V. Public Comment

- VI. Next Scheduled Board Meeting: Tuesday January 14, 2014 at 1:00 p.m.
Multi Agency State Office Building,
Conference Room 1015
195 North 1950 West
Salt Lake City, Utah

The Board—which is appointed by the Utah Governor with the consent of the Utah Senate—guides development of Radiation Control policy and rules in the state.

The Board holds open meetings ten times per year at locations throughout the state. A public comment session is held at the end of each meeting.

Copies of the Utah Radiation Control Board meeting agendas can be found at <http://www.radiationcontrol.utah.gov/Board/minagd/agenda.pdf>.

For additional information, please contact Rusty Lundberg, Director of the Division of Radiation Control at the Utah Department of Environmental Quality, at (801) 536-4257 or at rlundberg@utah.gov.

Utah DEQ Launches New Online Environmental Permitting Tool

The Utah Department of Environmental Quality (DEQ) recently announced the launch of a new online tool to assist local and national businesses in Utah's permitting process. The new information tool, called the "Permit Wizard," is designed to help companies and individuals involved in activities regulated by the DEQ to determine what permits, registrations, and authorizations may be needed for a specific project or business development.

Developed by a DEQ leadership training group, the Permit Wizard was created to improve efficiencies in the permitting process from air quality and drinking water permits, to radiation control and hazardous waste licenses and certifications. The Permit Wizard offers step-by-step guidance for users that enables them to learn what permits, licenses and certifications might be needed for their specific projects.

The permitting information relative to the use of radioactive material and radiation-producing devices is addressed at the beginning of the Permit Wizard's step-by-step process. Stakeholders can still access needed forms and information for the Division of Radiation Control's (DRC) permitting activities on the DRC's website at www.radiationcontrol.utah.gov.

The Permit Wizard is available online at permitwizard.deq.utah.gov. Links to the Permit Wizard can be found on the DEQ website, www.deq.utah.gov, and on the websites for each of the Divisions in DEQ.

For additional information, please contact Rusty Lundberg, Director of the Division of Radiation Control at the Utah Department of Environmental Quality, at (801) 536-4257 or at rlundberg@utah.gov.

Southeast Compact Commission

Southeast Compact Holds Committee and Business Meetings

On December 2-3, 2013, the Southeast Compact Commission for Low-Level Radioactive Waste Management held meetings of both the Administrative Committee and Policy & Planning Committee, as well as its 103rd business meeting.

The meetings were held at the Airport Marriott in Atlanta, Georgia—which is located approximately 2 miles from the Hartsfield-Jackson Atlanta International Airport.

The meeting agenda was as follows:

December 2, 2013

Administrative Committee Meeting The Administrative Committee met at 1:00 p.m. in Salon C. The committee reviewed the Motions and Policies Notebook and received an update on the Commission's investments and discussed other matters that came before the committee.

Policy and Planning Committee The Policy and Planning Committee met at 2:30 p.m. in Salon C to review a draft Strategic Plan for 2014-2023, a document that guides the day-to-day work of the staff and commissioners.

December 3, 2013

Southeast Compact Commission Meeting The 103rd business meeting of the Southeast Compact Commission for Low-Level Radioactive Waste Management began at 9:00 a.m. EDT in Salon C. The Commission received committee reports and conducted other business that came before the Commission.

Committee and Commission meetings are open to the public.

For additional information, please contact the Southeast Compact Commission at (919) 380-7780 or at secc@secompact.org.

Texas Compact Commission

Texas Compact Commission Holds November Meeting

On November 21, 2013, the Texas Low-Level Radioactive Waste Disposal Compact Commission (Texas Compact Commission) held a regularly scheduled meeting in Room E1.028 at the Texas State Capitol at 1100 Congress Avenue in Austin, Texas.

Agenda

The following is an abbreviated overview of the agenda for the Texas Compact Commission meeting. Persons interested in additional detail are directed to the formal agenda themselves.

- ◆ call to order;
- ◆ roll call and determination of quorum;
- ◆ introduction of commissioners, elected officials and press;
- ◆ public comment;
- ◆ discussion of revisions to 31 Texas Administrative Code §675.21, §675.22 and §675.23 related to exportation and importation of waste;
- ◆ presentation by the Disused Sources Working Group;
- ◆ consideration of and possible action on request for amendments to agreements for importation of low-level radioactive waste from PG&E-Diablo Canyon Power Plant and PG&E-Humboldt Bay Power Plant;

States and Compacts *continued*

- ♦ consideration of and possible action on applications and proposed agreements for importation of low-level radioactive waste from Alaron Nuclear Services; NexEra Energy-Point Beach; San Onofre Nuclear Generating Station; and, Thomas Gray & Associates;
- ♦ consideration of and possible action on petitions and proposed orders for exportation of low-level radioactive waste from Bionomics-University of Texas Health Sciences Center at San Antonio; Bionomics-Peloton Therapeutics; Luminant-Comanche Peak; NSSI; South Texas Project; and, Vermont Yankee Nuclear Power Station;
- ♦ receive reports from the Texas Commission on Environmental Quality (TCEQ) on the status of pending facility operator license amendment applications; status of the TCEQ rulemaking associated with the low-level radioactive waste rate case; and, any other matter TCEQ wishes to bring to the attention of the Texas Compact Commission;
- ♦ receive reports from Waste Control Specialists LLC (WCS) about recent site operations and any other matter WCS wishes to bring to the attention of the Texas Compact Commission;
- ♦ discussion and possible action to extend the contract with Leigh Ing as Consulting Executive Director and Audrey Ferrell as Executive Assistant;
- ♦ Chairman's report on Texas Compact Commission activities including reporting on fiscal matters and on other actions to be taken by the compact;
- ♦ report from Leigh Ing, Consulting Supervisory Director of the Texas Compact Commission, on her activities and questions related to Commission operations;
- ♦ discussion and possible changes of dates and locations of future Texas Compact Commission meetings; and,
- ♦ adjourn.

Background

The Texas Compact Commission may meet in closed session on any item listed above if authorized by the Texas Open Meetings Act, Chapter 551, Texas Government Code.

Texas Compact Commission meeting agendas may be found on the Commission's website at <http://www.tllrwdcc.org/>.

For additional information, please contact Leigh Ing, Consulting Supervisory Director of the Texas Compact Commission, at (512) 217-8045 or at ing.leigh@gmail.com or Robert Wilson, Chairman of the Texas Compact Commission, at (512) 820-2930 or at bob.wilson@tllrwdcc.org.

Texas Compact Commission Postpones Tennessee Meeting

On December 20, 2013, due to scheduling conflicts, the Texas Low-Level Radioactive Waste Disposal Compact Commission announced the postponement of an informal meeting with the Rules Review Committee in Tennessee. It was intended to include input from brokers, manufacturers, processors, and disposers.

The meeting was announced a week earlier by email and was scheduled for January 7, 2014. It was to be hosted by Philotechnics, Ltd. in Oak Ridge, Tennessee.

"We are very pleased that the feedback we've received for this meeting has been so positive and we certainly don't want to lose any momentum," stated Texas Compact Commission Executive Director Leigh Ing, "but to ensure full participation by decision-makers, we must select a new time and date."

States and Compacts *continued*

The Texas Compact Commission will send out a notice of the new scheduled date and time as soon as they have confirmation. The meeting will still be in Oak Ridge, TN at the Philotechnics, Ltd. facility.

For additional information, please contact Leigh Ing, Consulting Supervisory Director of the Texas Compact Commission, at (512) 217-8045 or at ing.leigh@gmail.com or Robert Wilson, Chairman of the Texas Compact Commission, at (512) 820-2930 or at bob.wilson@tllrwdcc.org.

Brandon Hurley Appointed to Texas Compact Commission

By press release dated December 11, 2013, Texas Governor Rick Perry announced the appointment of Brandon Hurley of Grapevine to the Texas Low-Level Radioactive Waste Disposal Compact Commission. Hurley's term will expire on September 1, 2019.

Hurley replaces Milton B. Lee II of San Antonio, who earlier this year was appointed to the University of North Texas System Board of Regents. Lee served as Vice-Chair and a Commissioner of the compact commission.

The Texas Compact Commission is comprised of eight (8) members, of which six (6) are designated by the Governor of Texas and two (2) by the Governor of Vermont. The compact commission and its members have the powers and duties prescribed by the compact and the members of the commission are responsible for administering the provisions of the compact.

Hurley is an attorney with Kelly Hart and Hallman LLP. He is a member of the State Bar of Texas and Tarrant County Bar Association, as well as a fellow of the Texas Bar Foundation. He is also a board member of Trinity Habitat for Humanity and The Parenting Center. He is a past

member of the Eldon B. Mahon Inn of Court and the Austin College Alumni Board.

Hurley received a bachelor's degree from Austin College and a law degree from Baylor Law School.

Information about the Texas Compact Commission may be found on the Commission's website at <http://www.tllrwdcc.org/>.

For additional information, please contact Leigh Ing, Consulting Supervisory Director of the Texas Compact Commission, at (512) 217-8045 or at ing.leigh@gmail.com or Robert Wilson, Chairman of the Texas Compact Commission, at (512) 820-2930 or at bob.wilson@tllrwdcc.org.

Texas Compact / State of Texas

Waste Control Specialists Launches New Website

In late October 2013, Waste Control Specialists LLC (WCS) launched a new website containing all new content, features and interactive media which, according to the company's press release, "is reflective of the growth WCS has achieved over the past several years in the field of low level radioactive waste ("LLRW") treatment, storage and disposal."

"We've already experienced several major milestones in 2013; including, the opening of our Federal LLRW Disposal Facility, and the first full operational year of the Texas Compact LLRW Facility," said WCS President Rod Baltzer. "Our new website is designed to showcase the unique operations ongoing at WCS and provide the public an opportunity to see just how significant of a positive environmental and economic impact we're having on our region and state."

The Website

Many of the new features on the website are designed to create ease of access and transparency to the public, press and potential customers and employees. For example, potential customers can view the licenses and documents necessary to treat, store or dispose of waste; potential employees can look at detailed career opportunities and job applications; and, the public and press can review the environmental standards at the west Texas facility. In addition, the website contains an interactive map of the WCS site and its multiple facilities as well as an extensive video and photo gallery.

“Aside from the enhanced customer experience, I’m most proud of the multitude of information and resources we provide to the public on our new website,” added Baltzer. “We take our job as environmental stewards very seriously, and want to ensure that the public is aware of the high quality and ethical standards we are applying at WCS.”

The Facility

The WCS facility in western Andrews County is licensed to dispose of Class A, B and C low-level radioactive waste and mixed-low-level radioactive waste. It is the site for the Texas Low Level Radioactive Waste Disposal Compact facility for commercial waste and the Federal Waste Facility for waste from the U.S. Department of Energy.

WCS has contracts in place with most domestic nuclear power plants and a nationwide contract with the DOE that can be used by the department or its contractors. The State of Texas takes title to any waste disposed in the Compact Waste Facility and DOE takes title to any waste disposed in the Federal Waste Facility following closure of the facility.

The web site can be found at www.wcstexas.com.

State of Nebraska

NRC Determines Fort Calhoun Plant is Ready to Restart

On December 17, 2013, the U.S. Nuclear Regulatory Commission announced its determination that the Fort Calhoun nuclear plant is ready to restart after being shut down for nearly three years to address a number of significant performance deficiencies. The plant, operated by Omaha Public Power District (OPPD), is located 19 miles north of Omaha, Nebraska.

Fort Calhoun Station has been shut down since April 2011 for a refueling outage that was extended due to record Missouri river flooding. The plant remained shut down to correct a variety of concerns with plant equipment, programs and processes.

Determination

The NRC restart readiness assessment is based on the NRC having thoroughly reviewed all of the extensive actions OPPD committed to take prior to restarting the plant. Marc Dapas, NRC Region IV Administrator in Arlington, Texas, outlined the agency’s decision in a letter to the utility. The letter also closed an existing Confirmatory Action Letter (CAL), previously issued by the NRC, to confirm OPPD’s commitment not to restart the plant until the NRC had completed its review of OPPD’s actions to address the significant performance deficiencies that led to the extended shutdown.

“The NRC has concluded that the plant, people, and processes are ready to support the safe restart of the Fort Calhoun Station,” Dapas told the utility. He said the NRC reached that conclusion on the basis of more than 23,000 hours of extensive NRC inspections and detailed evaluations to independently review more than 450 restart actions items, major improvements

States and Compacts *continued*

made by OPPD to the plant's supporting organizational infrastructure and programs, as well as a number of equipment modifications to improve reliability.

Next Steps

When the plant starts up, NRC will have inspectors providing round the clock coverage observing restart activities. In addition to two resident inspectors, three inspectors will be on site.

With the decision, the NRC also issued a post-restart CAL to confirm specific actions OPPD has agreed to take to ensure long-term performance improvement. In October, OPPD heated up the plant to normal operating temperature and pressure to inspect for any leaks. NRC inspectors observed these activities and determined that the plant and personnel performed satisfactorily with no significant issues.

The plant will remain under increased NRC oversight until the agency determines that the plant's performance warrants returning it to the normal reactor oversight program. In addition, the NRC will continue to hold periodic public meetings with OPPD in the local community to provide a status of the licensee's performance improvements.

Background

On December 2, OPPD provided NRC with its restart readiness letter entitled, "Integrated Report to Support Restart of Fort Calhoun Station and Post-Restart Commitments for Sustained Improvement." The letter outlined the actions OPPD took to address the restart checklist items and provided commitments to implement post-restart actions that will continue to further improve plant performance.

On November 21, an NRC public meeting was held in Omaha where staff reported that more than 90 percent of the work was complete or nearing

completion. Since then, the remaining restart checklist categories have been closed.

For additional information, please contact Lara Uselding at (817) 200-1519 or Victor Dricks at (817) 200-1128.

(Continued from page 23)

approach to overseeing the use of nuclear materials.

NRC Chairman Allison Macfarlane also praised the relationship the NRC has with the Korean regulator, the Nuclear Safety and Security Commission.

"Having a regulator that is independent, well-funded, and backed by the government is essential to ensure effective oversight over nuclear operators," Macfarlane said. "We work closely with our colleagues in Republic of Korea, and I hope to further strengthen our already strong relationship in coming years."

Macfarlane is also Chairman of the Multinational Design Evaluation Process (MDEP), an international organization that brings together national nuclear regulators considering similar new reactor designs to share knowledge and experience and thus strengthen safety.

One element of the MDEP organization looks at strengthening the integrity of the global nuclear supply chain.

"Like many others, the nuclear industry is truly global. Reactors in the United States get parts from abroad, and reactors abroad get parts from the United States," Macfarlane said. "It is critical that all regulators work to ensure that only quality, properly approved parts enter the supply chain for this industry."

For additional information, please contact Holly Harrington of the NRC at (301) 415-8200.

Nuclear Power Plants and Other NRC Licensees

News Briefs for Nuclear Power Plants Across the Country

The following news briefs provide updates on recent activities, enforcement actions and general events at nuclear power plants and other licensees around the country. The briefs are organized by compact and state.

For additional information, please contact the referenced facility or licensee.

Atlantic Compact/State of South Carolina

Robinson Nuclear Plant On September 23, 2013, NRC announced that the H.B. Robinson nuclear power plant will receive additional oversight, including a follow-up inspection, from the agency after a violation related to the company's failure to perform adequate preventive maintenance on the dedicated shutdown diesel generator. The Robinson plant is located near Hartsville, South Carolina—approximately 26 miles northwest of Florence. The plant is operated by Duke Energy. The violation and increased oversight is linked to an inspection finding, which was discussed at a regulatory conference between Duke and the NRC in August. After reviewing the information from the inspection and the conference, the NRC staff determined that the finding was a violation and should be classified as white, meaning it has low to moderate safety significance. The issue was identified after the failure of the diesel's radiator fan belts and the subsequent automatic shutdown of the generator in October 2012. There was no actual event requiring the use of that diesel generator and it was repaired and returned to service. However, the fan belts were degraded, in part, because of inadequate inspection, maintenance and periodic replacement. The belt failures could have prevented the shutdown diesel generator from being available during a loss of power or a fire. The additional NRC inspection will provide assurance that the

causes of the issue are understood and corrective actions are sufficient to prevent recurrence.

Central Midwest Compact/State of Illinois

Dresden Nuclear Plant On October 28, 2013, NRC staff issued a confirmatory order to Exelon Generation Company, LLC for one incident involving violations of the Behavioral Observation Program at the Dresden Nuclear Power Station. In addition, the NRC issued orders prohibiting two former Dresden employees involved in the situation from participating in nuclear work regulated by the NRC. Dresden is located in Morris, Illinois—approximately 25 miles southwest of Joliet. The NRC investigated the incident in which a senior reactor operator planned to rob an armored car and recruited the assistance of another senior reactor operator. The plan was not carried out. However, the NRC concluded that the operators' actions while offsite demonstrated they could not be relied upon to adhere to NRC requirements to protect plant and public safety. In addition, Dresden personnel who knew about the plan to commit an offsite crime failed to report the situation to plant management, which is an NRC requirement for workers who have unescorted access to the plant. The confirmatory order to Exelon was issued as a result of the Alternative Dispute Resolution process, which uses a mediator to assist the NRC and a licensee to reach an agreement for a more effective use of the enforcement process. The company agreed to abide by the conditions of the order requiring a number of actions to ensure the NRC's concerns will be addressed. Some of the commitments include: enhancing the behavioral observation program procedure at all Exelon nuclear plants; providing training to company staff on the revision; evaluating the effectiveness of the training; and, developing a presentation of the facts and lessons learned from this incident to be presented at industry forums. Exelon agreed to address these issues according to the timelines established in the order and to notify the NRC in writing upon completion of specific actions. The orders to the operators prohibit them from

participating in NRC-licensed activities due to the NRC's lack of confidence that they can meet the agency's safety requirements.

Midwest Compact/State of Iowa

Duane Arnold Nuclear Station On November 5, 2013, NRC staff conducted a regulatory conference with officials of NextEra Energy Duane Arnold, LLC to discuss a preliminary inspection finding for weaknesses in a maintenance procedure at the Duane Arnold Energy Center. The plant is located in Palo, Iowa—approximately eight miles northwest of Cedar Rapids. During the conference, NRC and company officials discussed the significance of the inspection finding, which involved deficiencies in the procedure for replacing a heat exchanger on a standby diesel generator. This deficiency was the main cause for the failure of one of the two standby diesel generators during testing activities. The finding did not represent an immediate safety concern. The public was invited to observe the conference and NRC officials were available to answer questions. Although NRC's preliminary evaluation determined that the violation at Duane Arnold was "white," which means it has a low to moderate safety significance, no decisions on the final safety significance or other NRC actions were made at the conference. Those decisions will be made by NRC officials at a later time. The NRC inspection report in which the apparent violation is documented is publicly available on the NRC website.

Northwest Compact/State of Washington

Columbia Generating Station On December 2, 2013, NRC held a meeting with officials from Energy Northwest to discuss the licensee's initiatives and progress in improving human performance at the Columbia Generating Station. The plant is located near Richland, Washington. The meeting, which was open to public observation, was held in the NRC's Region IV office in Arlington, Texas. During the meeting,

Energy Northwest officials briefed NRC staff on initiatives and progress in improving human performance issues detailed in the NRC's mid-cycle assessment letter that was issued on September 3. Observers were provided with an opportunity to ask questions of the NRC staff after the business portion of the meeting.

Southeast Compact/State of Tennessee

Watts Bar Nuclear Plant On November 22, 2013, NRC announced the extension of the expiration date of the construction permit for the unfinished Unit 2 at the Watts Bar nuclear power plant to September 30, 2016. The Tennessee Valley Authority—which operates Unit 1 at the plant about 10 miles south of Spring City, Tennessee—requested the extension on May 17, 2012. The NRC staff's environmental assessment of the extension request, which found no significant impact on the environment, was published in the *Federal Register* on October 22, 2013. The agency has issued the staff's safety evaluation of the extension, as well as an order extending the construction permit. The documents were published in the *Federal Register*. Any person adversely affected by the order was allowed to request a hearing within 20 days of its publication in the *Federal Register*, specifically listing whether TVA failed to show good cause for the extension and why the NRC should not have issued the order. TVA has informed the NRC it intends to complete Unit 2 and request an operating license in 2014. The NRC will decide whether to issue a license for Unit 2 in accordance with the agency's regulations. Unit 2, if completed, would be a 1,100-MWe, Westinghouse-designed pressurized water reactor essentially the same as the operating Unit 1. Additional information on Watts Bar Unit 2 is available on the NRC's website.

State of Michigan

Fermi New Reactor On October 30, 2013, an Atomic Safety and Licensing Board (ASLB) held a hearing in Monroe, Michigan concerning a

challenge by several environmental groups to the Combined License application for a new nuclear reactor at the Fermi site in Monroe County. The ASLB is the independent body within the NRC that conducts adjudicatory hearings and renders decisions on legal challenges to licensing actions. Members of the public and media were allowed to observe the evidentiary hearing, but participation in the hearing was limited to the parties and their lawyers and witnesses. The board did, however, accept comments from interested members of the public, known as limited appearance statements, on October 29. These statements are not testimony or evidence, but they nonetheless may aid the board and/or the parties in considering the issues in the hearing. The hearing involved Detroit Edison's application to build an Economic Simplified Boiling Water Reactor at the Fermi site. Several environmental groups—including Beyond Nuclear, Citizens for Alternatives to Chemical Contamination, Citizens Environmental, Alliance of Southwestern Ontario, Don't Waste Michigan and the Sierra Club—filed a legal challenge opposing the application. The groups argue that the environmental review of the proposed reactor fails to adequately analyze and discuss impacts on the eastern fox snake at the site. The groups also argue that quality assurance concerns regarding safety analysis work by Detroit Edison and its contractor prevent the NRC from issuing a license for the proposed reactor. The hearing was intended to examine these two arguments.

State of New Hampshire

Seabrook Nuclear Plant On October 9, 2013, NRC announced that the agency has closed out a Confirmatory Action Letter (CAL) issued to NextEra regarding actions to be taken by the company in response to concrete degradation identified at the Seabrook nuclear power plant. A letter formalizing the CAL's closure was issued to NextEra the same day. NextEra owns and operates the single-unit pressurized-water reactor, which is located in Seabrook, New Hampshire. The concrete degradation at Seabrook is caused

by alkali silica reaction, or ASR. This is a chemical combining of reactive silica from the concrete aggregate with the alkali from the cement paste in the presence of moisture. (Aggregates are inert granular materials—such as sand, gravel or crushed stone—that, along with water and cement paste, are an essential ingredient in concrete.) The result of the reaction is a gel, which can expand and cause micro-cracks in the concrete. The ASR problem was first identified by Seabrook personnel in 2010. After substantial interaction between the NRC and NextEra, including a public meeting, the NRC issued the CAL to the company in May 2012 confirming that it would complete a variety of actions to address the issue. Since that time, the NRC staff has conducted two follow-up team inspections to review the actions taken by NextEra. Those inspections did not identify any concerns with the company's adherence to the commitments. The NRC staff will continue to provide focused oversight of the company's concrete degradation testing program being conducted at the University of Texas-Austin, as well as of the on-site monitoring of ASR progression in the plant's concrete structures. "The concrete degradation found at Seabrook is a first-of-a-kind issue for a U.S. commercial nuclear power plant," NRC Region I Administrator Bill Dean said. "Our use of a Confirmatory Action Letter provided us with greater assurance that the kinds of steps necessary to fully diagnose the extent of the problem and develop an approach for dealing with it going forward were being appropriately carried out."

Duke Energy

Meeting Held re Planned Modifications at Duke Energy Plants

On November 6, 2013, a meeting was held between staff of the U.S. Nuclear Regulatory Commission and officials from Duke Energy to discuss planned modifications at the company's nuclear power plants related to post-Fukushima lessons learned. Duke operates the Oconee, Catawba and Robinson plants in South Carolina and the McGuire, Harris and Brunswick facilities in North Carolina.

The meeting was held at the NRC's Region II offices in Atlanta, Georgia. The public was invited to attend and NRC officials were available to answer questions from the public after the business portion of the meeting.

The planned modifications at the plants were prompted by reevaluations following the 2011 accident at the Fukushima Daiichi facility in Japan. The damage caused by a 9.0 magnitude earthquake and the ensuing tsunami led the NRC to order the operators of each U.S. plant to reevaluate how they could withstand some events that were not considered in their original designs.

For additional information, please contact Roger Hannah at (404) 997-4417 or Joey Ledford at (404) 997-4416.

International Convention on Nuclear Safety

NRC Issues Revised Report for Convention on Nuclear Safety

On November 9, 2013, the U.S. Nuclear Regulatory Commission announced that the agency has published its Sixth National Report for the Convention on Nuclear Safety, describing the U.S. government's actions under the Convention to achieve a high level of safety for its nuclear power plants. The convention entered into force in 1996 and was ratified by the U.S. Senate in 1999. It establishes legally binding obligations for signatory states regarding national regulation and safety at commercial nuclear facilities.

The report demonstrates how the United States implements a high level of nuclear safety by enhancing national measures and international cooperation, and by meeting the obligations of all the articles established by the convention. These articles address the safety of existing nuclear installations, the legislative and regulatory framework, the regulatory body, responsibilities of licensees, human factors, quality assurance, radiation protection, emergency preparedness, siting, design and construction, among other issues.

Countries that are parties to the convention meet every three years to discuss their reports. The NRC has submitted its report for peer review by other countries. NRC officials will discuss the report and respond to peer review questions at the sixth review meeting of the Convention on Nuclear Safety at IAEA headquarters in Vienna, Austria, from March 24 to April 4, 2014.

This report addresses issues identified through the peer review conducted during the fifth review meeting in April 2011 and discusses challenges and issues that have arisen since that time. The

fifth review meeting identified the following NRC challenges:

- ♦ addressing buried piping degradation and ground water protection issues;
- ♦ evaluating and responding to cyber security threats;
- ♦ licensing digital instrumentation and control; and,
- ♦ enhancing the safety and security interface.

The NRC highlighted the following planned initiatives at the fifth review meeting in April 2011:

- ♦ address Integrated Regulatory Review Service mission recommendations;
- ♦ address buried piping degradation and ground water protection issues, and,
- ♦ finalize the emergency preparedness rulemaking.

This report also discusses the status of safety issues raised in the Fifth U.S. National Report, including reactor materials degradation, cyber security, digital upgrades to instrumentation and control, moisture effects on underground cables, using accident pressure buildup to maintain emergency core cooling functions, gas bubbles in light-water reactor coolant systems, enhancement to emergency preparedness regulations, as well as other issues that have arisen since 2010. It includes a discussion of NRC's ongoing efforts to address lessons learned from the March 2011 Fukushima nuclear plant accident in Japan.

The report includes a section developed by the Institute of Nuclear Power Operations (INPO) describing work done by the U.S. nuclear industry to ensure safety. INPO officials will also be part of the U.S. delegation to the Convention review meeting.

The report—which is titled, “United States of America Sixth National Report for the Convention on Nuclear Safety” (NUREG-1650, Revision 5)—is available on the NRC website at www.nrc.gov. For additional information, please contact David McIntyre of the NRC at (301) 415-8200.

International Commission on Radiological Protection

Donald Cool Named to ICRP Main Commission & Committee Chairman

On November 7, 2013, the U.S. Nuclear Regulatory Commission announced that Donald Cool has been elected to the Main Commission of the International Commission on Radiological Protection (ICRP). Since 1928, the ICRP has developed and overseen a system that is the basis for radiation protection standards and policies used around the world.

Cool was also appointed Chairman of ICRP Committee Four, the standing committee on the application of radiological protection recommendations. Cool, who holds a Ph.D. in radiation biology, is a senior advisor in the NRC's Office of Federal and State Materials and Environmental Management Programs. He has been an active participant in the ICRP for 29 years and a member of the standing committee since 1993. Cool also co-chairs the U.S. Interagency Steering Committee on Radiation Standards and is a council member of the National Council on Radiation Protection and Measurements.

ICRP's radiological protection recommendations are updated periodically to reflect the latest scientific evidence and radiation protection experience. ICRP has more than 200 volunteer members from roughly 30 countries who are the leading scientists and policymakers involved in radiological protection. The ICRP Main Commission has 12 members and a chairman. ICRP Committee Four provides advice on applying the radiological protection system. Among the issues on its plate, the committee is updating advice on emergency and long-term

exposure using experience in contaminated territories such as around Fukushima.

Cool joined the NRC in 1982 as a health physicist in the Fuel Cycle Safety Branch, Office of Nuclear Materials Safety and Safeguards (NMSS). He has held progressively more responsible positions including Leader of the Programmatic Safety Section, NMSS; Chief of the Radiation Protection and Health Effects Branch, Office of Nuclear Regulatory Research; and, Director of the Division of Industrial and Medical Nuclear Safety, NMSS.

For additional information, please contact Maureen Conley of the NRC at (301) 415-8200.

Tokyo, Japan

NRC Chairman Meets with U.S. Ambassador and Japanese Regulators

On December 5, 2013, U.S. Nuclear Regulatory Commission Chairman Allison Macfarlane briefed Ambassador Caroline Kennedy Thursday on the NRC's Fukushima work, and met with the head of the Japanese nuclear regulator to discuss Japan's efforts to address problems at the site in northeast Japan.

Macfarlane noted the extensive NRC and U.S. government assistance provided both to the U.S. Embassy in Tokyo and to the Japanese government in the immediate aftermath of the 2011 accident. Macfarlane and Kennedy discussed a number of the challenges the Japanese government faces with efforts to decommission and decontaminate the Fukushima site, as well as the important role played by the Japanese Nuclear Regulation Authority (NRA).

"We will continue to offer support to our Japanese colleagues," said Macfarlane. "And we will continue to make note of our view that a strong, independent and well-funded regulator is important in making independent and authoritative decisions."

During her brief stop in Tokyo, Macfarlane met with her counterpart, NRA Chairman Shunichi Tanaka, and several of his colleagues, as well as others in the Japanese government. Her talks with Tanaka touched on the variety of challenges ahead at the Fukushima site centered around the clean-up effort. She also noted the recent approval by Japan's government to merge the Japan Nuclear Energy Safety (JNES) organization into the NRA, providing the NRA with greater technical background.

During her brief visit Macfarlane also addressed a conference on nuclear fuel issues organized by the Asahi Shimbun newspaper and Princeton University. She told the conference she believes inadequate attention is paid to the back of the nuclear fuel cycle, and the ultimate disposal of spent fuel should be considered before the first shovel of dirt is turned for a nuclear facility.

For additional information, please contact Holly Harrington of the NRC at (301) 415-8200.

Seoul, Republic of Korea

NRC Chairman Lauds Cooperative Relationship with Korean Agency

By press release dated December 3, 2013, the top nuclear regulator in the United States said nuclear regulators must be independent agencies within governments to ensure a consistent, safety-based

(Continued on page 17)

Symposiums and Forums

Waste Management Symposia

Registration Opens for Waste Management 2014 Conference ***March 2-6, 2014 in Phoenix, Arizona***

Registration is now open for the WM Symposia's Waste Management 2014 Conference, "40 Years of Meeting Global Radioactive Waste Management Challenges." The technical conference, which focuses on the safe management and disposition of radioactive waste and radioactive materials, will be held at the Phoenix Convention Center in Phoenix, Arizona from March 2-6, 2014.

Highlighted Speakers

Plenary Speakers The plenary program on Monday morning will feature a world-wide perspective of the field of radioactive waste management including:

- ♦ Christopher Eckerberg, Managing Director, SKB (Sweden);
- ♦ Reijo Sundell, President of Posiva Oy (Finland);
- ♦ John Lehew, Senior Vice President, CH2M HILL Nuclear Business Group; and,
- ♦ David Huizenga, Senior Advisor, U.S. Department of Energy—Environmental Management.

Lunch Speaker The conference welcomes Kazuhiro Suzuki, Executive Director of the International Research Institute For Nuclear Decommissioning in Tokyo, as the Monday luncheon speaker. Suzuki will provide an update on recovery activities at Fukushima.

Technical Programs

Continuing throughout the conference, there will be five sessions dedicated to the featured nations

of Finland and Sweden. In addition, the focus of several other sessions will shift to the U.S. DOE sites of Hanford and Los Alamos National Laboratory. The final day, Thursday, will feature an afternoon panel session "*Management of Radioactive Waste Following a Nuclear Accident or Extreme Contamination Scenario*," which will address Three Mile Island NPP (United States), Chernobyl NPP (Ukraine), Fukushima NPP (Japan), Kyshtym Waste Depot Accident (Russian Federation), Windscale Pile I (United Kingdom) and the Rocky Flats Infinity Rooms (United States) Remediation. There will be other parallel sessions on Thursday, including the EFCOG Waste Management Roundtable. On Friday, the U.S. Nuclear Regulatory Commission will be holding a public meeting to discuss new regulatory standards pertaining to radioactive waste management. (See related story, p. 25.)

Sponsorship and Events

Exhibit Hall & Sponsorships The WM Marketplace includes hundreds of exhibitors providing information on their latest waste management industry developments, technologies and programs. And, new for this year, the Exhibit Hall will remain open later—until 6:30 p.m. on Monday & Tuesday evenings to give attendees more time to explore and network.

Roy G. Post Foundation & Golf Tournament The Roy G. Post Foundation Golf Tournament will be held on Sunday, March 2, at the Raven Golf Club. Tournament proceeds provide educational scholarships for the next generation of nuclear scientists and engineers.

Networking Event The conference will also include a Wednesday Night Networking Event at the internationally recognized Heard Museum. The cost is \$35 per person to accommodate per diem. Attendees will enjoy an evening of food, cocktails and tours of the museum.

Symposiums and Forums *continued*

Registration

The Board of Directors have not only held the registration rates steady, they have lowered the price of Exhibit Hall badges to encourage stakeholders to invite colleagues. U.S. DOE employees and contractor should register in the internal DOE system before October 31, 2013. Early bird registration rates are available for other conference attendees that register by December 31, 2013.

WM Symposia is a non-Profit organization dedicated to education and opportunity in waste management. WM Symposia's mission is to

provide the foundation of global nuclear waste management exemplified through education and information dissemination.

To register for the conference, please go to www.wmsym.org. To inquire about booth space and sponsorship opportunities, please contact exhibits@wmarizona.org for more information.

Hotel reservations may be booked on the website at www.wmsym.org or by contacting Sherry Chavez at sherry@aquilatravel.com or at (800) 595-9113.

Meeting re Part 61 Revisions and LLW Strategic Assessment Updates *March 7, 2014 in Phoenix, Arizona*

The U.S. Nuclear Regulatory Commission (NRC) will conduct a public meeting on Friday, March 7, 2014—immediately following the annual Waste Management 2014 Conference. (See related story, this issue.) The meeting will be held from 8:00 a.m. – 1:00 p.m. at a location to be determined in Phoenix, Arizona. Registration is from 7:30 a.m. – 8:00 a.m. The purpose of the public meeting is to discuss potential changes to the agency's Part 61 rule and its future efforts to update the NRC's Strategic Assessment of its LLW Regulatory Program.

On July 18, 2013, NRC staff requested Commission approval to publish a proposed rule in the *Federal Register* that would amend Part 61 of Title 10 of the *Code of Federal Regulations* (10 CFR), "Licensing Requirements for Land Disposal of Radioactive Waste." (See *LLW Notes*, July/August 2013, pp. 1, 32-38.) The staff is proposing to revise Part 61 in response to Commission direction and stakeholders' comments.

The staff is also seeking comments on developments that would affect the Low-Level Radioactive Waste Regulatory Program in the next 5 to 7 years, including changes to the national landscape in the low-level radioactive waste area that would affect licensees and sited states in the context of safety, security, and the protection of the environment.

All are welcome to attend, including waste generators, processors, disposal facility operators, states, low-level radioactive waste compacts, advocacy groups and members of the public. Although this meeting is not a part of the WM 2014 Conference, it is being held the day after the conference ends in an effort to facilitate attendance and participation by members of the waste industry and other stakeholders who have an interest in the subject.

For questions or additional information, please contact Gregory Suber of the NRC at Gregory.Suber@NRC.gov.

Symposiums and Forums *continued*

Perma-Fix Nuclear Waste Management Forum

Perma-Fix Hosts Nuclear Waste Management Forum

On December 2-5, 2013, Perma-Fix Environmental Services hosted its 13th annual Nuclear Waste Management Forum at the Gaylord Opryland Hotel in Nashville, Tennessee. This year's theme was "Waste Management Progress in a Challenging Economic Environment."

The following is an abbreviated agenda for the meeting:

December 2, 2013

- ◆ 6:30 – 9:00 pm: Registration and Opening Reception

December 3, 2013

- ◆ 7:30 – 8:30 am: Registration and Breakfast

Opening Remarks

- ◆ 8:30 – 8:35 am: Welcome and Conference Overview (Renee Echols, Perma-Fix)
- ◆ 8:35 – 9:05 am: Perma-Fix: Progress and Innovation During Challenging Economic Times (Jim Blankenhorn, Chief Operating Officer, Perma-Fix)

Keynote Address

- ◆ 9:05 – 9:45 am: DOE EM Priorities for Clean-Up and Opportunities Despite Shrinking Budgets (Christine Gelles, Associate Deputy Assistant Secretary, DOE EM HQ)
- ◆ 9:45 – 10:05 am: What's Ahead for 2014? Perspectives on Key Policy, Funding and Leadership Challenges (Martin Schneider, CEO and Editor in Chief, Exchange Monitor Publications)
- ◆ 10:05 – 10:30 am: Break

U.S. Waste Management Organization Priorities and Challenges

- ◆ 10:30 – 12:00 noon: Panel Moderator – Andy Lombardo, Senior Vice President, Perma-Fix
 - * DOE EM HQ Packaging and Transportation Program Highlights (Steve O'Connor, DOE EM-30, Director of Office of Packaging and Transportation)
 - * DOE Hanford Focus on Waste Treatment Plant and Tank Closure (*to be determined, DOE Office of River Protection*)
 - * NNSA Focus on Construction of the Uranium Processing Facility (*to be determined, DOE NNSA Oak Ridge Office*)

- ◆ 12:00 – 1:00 pm: Lunch Break

Challenges and Opportunities in Canada

- ◆ 1:00 – 3:00 pm: Panel Moderator – Tammy Monday, Vice President Sales & Business Development, Perma-Fix
 - * Atomic Energy Canada Ltd. Clean-Up Program Overview (Meggan Vickerd, Environmental Restoration Specialist, AECL)
 - * Canadian Utility Projects (Dan Olson, Manager, Nuclear Maintenance Services, AECON Nuclear)
 - * Canadian Large Remediation Project Progress (*to be determined*)

- ◆ 3:00 – 3:15 pm: Break

Commercial Opportunities

- ◆ 3:15 – 5:15 pm: Panel Moderator – Josh Norm, Regional Sales Manager, Perma-Fix
 - * Clean-Up at Nuclear Fuel Services (Brad McKeehan, Director of Transportation and Waste Management, NFS)
 - * Westinghouse Hematite Facility Remediation Project (Keith Anderson, Project Manager, ECC)
 - * Shale – Natural Gas Fracking and Managing NORM Waste (Andy Lombardo, Senior Vice-President, Perma-Fix)

Symposiums and Forums *continued*

- * Nuclear Power Plant Decommissioning Project (*to be determined, CB&I*)

- ◆ 6:00 – 9:00 pm: Evening Entertainment

December 4, 2013

- ◆ 7:30 – 8:30 am: Registration and Breakfast

Contractor Progress In Clean-Up

- ◆ 8:30 – 10:00 am: Panel Moderator – John Hagan, Sales Manager, Perma-Fix
 - * UCOR Clean-Up Progress at Oak Ridge (John Wrapp, Waste Program Manager, UCOR)
 - * Challenges of Managing Future Waste (Judith Neilsen, WRPS One System Technical Secondary Solid Waste and Product Qualification Manager)
 - * Completing the TRU Legacy Project at the Savannah River Site (John Gilmour, Director, Solid Waste Management, Savannah River Nuclear Stations)

- ◆ 10:00 – 10:15 am: Break

Contractor Progress In Clean-Up (Continued)

- ◆ 10:15 am – 12:15 pm: Panel Moderator – John Hagan, Sales Manager, Perma-Fix
 - * Progress at the Idaho Clean-Up Project (Tammy Hobbes, Vice President of Waste Management, CWI)
 - * LANL TRU Waste 3706m3 Campaign Status to Completion in FY14 (Kathy Johns-Hughes, Program Director LANL TRU Program, LANS)
 - * Legacy Clean-Up Progress at the Y-12 Plant (Diane McDaniel, Senior Program Manager, Legacy and Environmental Management, B&W Y-12)
 - * Clean-Up at the Portsmouth Gaseous Diffusion Plant (*to be determined, Fluor B&W Portsmouth*)

- ◆ 12:15 – 1:15 pm: Lunch

Decommissioning and Clean-Up Innovations

- ◆ 1:15 – 3:15 pm: Panel Moderator – Paul Hickman, Regional Sales Manager, Perma-Fix

- * UCOR Decommissioning Progress at Oak Ridge (Mike Ferrari, UCOR D&D Waste Manager)
- * Remediation of the Active Liquid Waste Tanks at AECL Chalk River Labs (Mark Polley, Manager of Projects, Perma-Fix)
- * The Use of Non-Conventional NDA Methodologies to Enhance Characterization (Martin Clapham, Science & Technology Director, Pajarito Scientific Corp.)
- * Advanced Characterization Technologies to Support D&D (Eric Laning, Program Manager, Perma-Fix)

- ◆ 3:15 – 3:30 pm: Break

Closing Remarks

- ◆ 3:30 – 5:00 pm: Panel Moderator – Tibby Snipes, Regional Sales Manager, Perma-Fix
 - * DOE NNS Disposal Site Issues During Reduced Budgets (Pat Arnold, Waste Program Manager, NSTec)
 - * EFCOG Packaging & Transportation Subgroup Working Issues that will Impact DOE Complex (Jeff England, SRNL EFCOG Waste Management Working Group)
 - * Summary and Wrap-Up (Renee Echols, Senior Vice President, Perma-Fix)

- ◆ 6:30 – 9:30 pm: Hospitality Event

For additional information, please contact Autumn Bogus of Perma-Fix Environmental Services at (865) 251-2088 or at abogus@perma-fix.com.

Federal Agencies and Committees

Advisory Committee on Reactor Safeguards (ACRS)

ACRS Meets with Stakeholders re Part 61 Rulemaking Initiative

During the months of November and December 2013, the Advisory Committee on Reactor Safeguards' (ACRS') Subcommittee on Radiation Protection and Nuclear Materials held two separate stakeholder meetings to review proposed revisions to low-level waste regulations (10 CFR Part 61).

The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee.

November 19 Meeting Agenda

During the first meeting, on November 19, 2013, the Subcommittee heard presentations by and held discussions with staff of the U.S. Department of Energy (DOE) and other interested persons on the Part 61 rulemaking initiative.

The following items were on the draft agenda for the November 19 Subcommittee meeting:

- ♦ Introduction (Michael Ryan, ACRS)
- ♦ DOE Opening Remarks (Christine Gelles, DOE Office of Environmental Management)
- ♦ DOE Low-Level Radioactive Waste Disposal Standards and Requirements: Order 435.1 (Roger Seitz, Savannah River National Laboratory; Andrew Wallo III, DOE Office of Health, Safety and Security)
 - Approach and Philosophy
 - History and Development
 - Specific Low-Level Radioactive Waste Disposal Requirements and Bases:
 - * Performance Assessment
 - * Composite Analysis
 - * Time of Compliance

* Performance Assessment Maintenance

♦ *Break*

- ♦ Implementation of DOE Order 435.1 (Robert Boehlecke, DOE-NV; Bruce Crowe, DOE-NV *retired*; Sherri Ross, DOE-SR)
 - Specific PA and IA Example
 - Compliance Evaluation
 - Disposal Authorization Statement
 - LFRG Review
- ♦ Subcommittee Discussion (Michael Ryan, ACRS)

December 3 Meeting Agenda

During the second meeting, on December 3, 2013, the Subcommittee heard presentations by and held discussions with representatives of Agreement States, low-level radioactive waste disposal facilities, industry groups, and other interested persons on the Part 61 rulemaking initiative.

The following items were on the draft agenda for the December 3 Subcommittee meeting:

- ♦ Introduction (Sam Armijo, ACRS and Michael Ryan, ACRS)
- ♦ Agreement State Representatives (Susan Jenkins, South Carolina Department of Health and Environmental Control; Rusty Lundberg, Utah Department of Environmental Quality; Brad Broussard, Texas Commission on Environmental Quality; and, Earl Fordham, Washington Department of Environmental Health)
- ♦ *Break*
- ♦ Disposal Facility Representatives (Scott Kirk, Waste Control Specialists LLC; Dan Shrum, EnergySolutions' Clive facility)
- ♦ *Lunch*

Federal Agencies and Committees *continued*

- ◆ Disposal Facility Representatives *Continued* (Mike Benjamin, EnergySolutions' Barnwell facility)
- ◆ Industry and DOE Representatives (Lisa Edwards, Electric Power Research Institute; Christine Gelles, U.S. Department of Energy, Environmental Management; and, Roger Seitz, U.S. Department of Energy, Savannah River)
- ◆ *Break*
- ◆ Other Stakeholders (John Greeves, Talisman LLC; John Tauxe, Neptune and Associates; Arjun Makhajani, Institute for Energy and Environmental Research)
- ◆ Public Comments (Michael Ryan, ACRS)
- ◆ Subcommittee Discussion (Michael Ryan, ACRS)

Background

On July 18, 2013, NRC staff requested Commission approval to publish a proposed rule in the *Federal Register* that would amend Part 61 of Title 10 of the *Code of Federal Regulations* (10 CFR), "Licensing Requirements for Land Disposal of Radioactive Waste." (See *LLW Notes*, July/August 2013, pp. 1, 32-38.)

The proposed amendments would revise 10 CFR Part 61 to require low-level radioactive waste disposal licensees and license applicants to conduct updated and new site-specific analyses and to permit the development of criteria for future low-level radioactive waste acceptance based on the results of these analyses. According to NRC staff, these amendments would ensure that low-level radioactive waste streams that are significantly different from those considered during the development of the current regulations will be disposed of safely and meet the performance objectives for land disposal of low-level radioactive waste.

The proposed rule would update the existing technical analysis requirements for protection of

the general population (i.e., performance assessment) to include a 10,000-year compliance period; add a new site-specific technical analysis for the protection of inadvertent intruders (i.e., intruder assessment) that would include a 10,000-year compliance period and a dose limit; add a new analysis for certain long-lived low-level radioactive waste (i.e., performance period analysis) that would include a post-10,000 year performance period; and, revise the technical analyses required at closure.

NRC would also add a new requirement to develop criteria for the acceptance of low-level radioactive waste for disposal based on either the results of these technical analyses or on the existing low-level radioactive waste classification requirements. This would facilitate consideration of whether a particular disposal site is suitable for future disposal of depleted uranium (DU), blended low-level radioactive waste, or any other previously unanalyzed low-level radioactive waste stream. Additionally, the NRC is proposing amendments to facilitate implementation and better align the requirements with current health and safety standards. This rule would affect low-level radioactive waste disposal licensees and license applicants that are regulated by the NRC or the Agreement States.

The proposed rule (SECY-13-0075) can be found in the NRC's Agency wide Documents Access and Management System (ADAMS) using accession number ML13129A268. The following enclosures were submitted along with the proposed rule: a draft Federal Register notice (ML13129A262); draft regulatory analysis (ML13129A264); and, summary of stakeholder feedback (ML13129A266).

To locate the proposed rule and enclosures on NRC's web site, please go to www.nrc.gov and click on "Adams Public Documents" on the right-hand column. Then, click on "Begin Web-Based ADAMS Search." When you open that page, click on "Advance Search" tab near the top. Then, for "document properties" enter "Accession

Number” as the property, “is equal to” as the operator, and the specific ML number for the desired document.

For additional information on the proposed Part 61 rule changes, please contact Andrew Carrera of the NRC’s Division of Intergovernmental Liaison and Rulemaking, Office of Federal and State Materials and Environmental Management, at (301) 415-1078 or at Andrew.Carrera@nrc.gov.

For additional information on the ACRS meetings and comments, please contact Derek Widmayer of the NRC at (301) 415-7366 or at Derek.Widmayer@nrc.gov.

U.S. Department of Energy and U.S. Nuclear Regulatory Commission

NRC Directs Staff to Complete Yucca Mountain Safety Evaluation Report

On November 18, 2013, the U.S. Nuclear Regulatory Commission announced that it has directed the agency staff to complete work on the safety evaluation report on the U.S. Department of Energy’s construction authorization application for the proposed Yucca Mountain nuclear waste repository. The Commission has also asked DOE to prepare a supplemental environmental impact statement requested by NRC staff in order to complete its environmental review of the application.

In the November 18 Order, the Commission did not direct the staff to reconstitute the Licensing Support Network (LSN) that supported the adjudicatory hearing on the application, but did direct the staff to load documents in the LSN collection into the NRC’s non-public ADAMS

online database. The Order acknowledges that documents used as references in the safety evaluation report and supplemental environmental impact statement will be publicly released; however, public release of all LSN documents will depend on whether adequate funds are available to do so. The Commission also directed that the adjudication continue to be held in abeyance.

The Commission’s November 18 action responds to an August decision by the U.S. Court of Appeals for the District of Columbia Circuit ordering the agency to continue its review of the Yucca Mountain application at least until existing funds appropriated for the review are expended. (See *LLW Notes*, September/October 2013, p. 21.) As of September 30, the agency had approximately \$11 million in funds that were appropriated for the review.

For additional information, please contact David McIntyre of the NRC at (301) 415-8200.

U.S. Nuclear Regulatory Commission

New Rules Proposed re Control and Accounting of Special Nuclear Material

In early November 2013, the U.S. Nuclear Regulatory Commission announced that the agency is seeking public comment on a proposal to update, clarify and strengthen the requirements for material control and accounting (MC&A) of special nuclear material. The proposed rule appears in the *Federal Register* dated November 8, 2013.

The NRC requires licensees to control and account for plutonium, enriched uranium and uranium-233, also known as special nuclear material. Plutonium and uranium-233 can be produced in nuclear reactors, while enriched uranium is created in a uranium enrichment facility. The MC&A program coupled with physical protection and information security programs helps to ensure these materials are not taken from facilities that possess them.

The proposed rule would change the requirements for collecting and reporting information on these materials. It adds new requirements for certain licensees that have 350 grams or more of special nuclear material, strengthens other requirements, applies the rules to more licensees, and clarifies terms and language.

Comments on the proposed rule may be submitted in several ways including:

- ♦ online through the federal government's rulemaking website at www.regulations.gov using Docket ID NRC-2009-0096;
- ♦ e-mail to Rulemaking.Comments@nrc.gov;
- ♦ facsimile to (301) 415-1101; or,
- ♦ mail to Cindy Bladey, Chief, Rules, Announcements, and Directives Branch, Office of Administration, Mail Stop: TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, DC, 20555-0001.

Comments will be accepted through February 18, 2014.

For additional information, please contact Maureen Conley of the NRC at (301) 415-8200.

Public Comment Extended re Extended Storage of Spent Nuclear Fuel

The U.S. Nuclear Regulatory Commission extended by three weeks, until December 20, the deadline for public comments on a proposed rule and supporting environmental study on the effects of extended storage of spent nuclear fuel beyond the licensed operating life of commercial reactors.

Background

The proposed rule was published in the *Federal Register* on September 13 for public comment that was originally scheduled to last through November 27. Known as “waste confidence,” the proposed rule would replace a similar provision in NRC’s environmental regulations that was vacated last year by the U.S. Court of Appeals for the District of Columbia Circuit.

The rule does not authorize extended storage of spent fuel at reactor sites – a separate license is required for that. Rather, waste confidence is a generic finding of the environmental impacts of storing spent fuel for extended periods beyond the licensed operating life of reactors.

The draft Waste Confidence Generic Environmental Impact Statement (DGEIS) forms the regulatory basis for the proposed rule. The draft statement is available on the NRC’s waste confidence webpage.

Public Meetings

The NRC rescheduled the five public meetings on extended storage that were postponed due to the government shutdown and held an additional teleconference to receive public input on December 9.

Federal Agencies and Committees *continued*

The rescheduled meetings were held on November 12 in Oak Brook, Illinois; November 18 in Carlsbad, California; November 20 in San Luis Obispo, California; December 2 in Perrysburg, Ohio; and, December 4 in Minnetonka, Minnesota. NRC staff also hosted a public status update teleconference on October 30.

Posting of Handouts

The Waste Confidence Directorate posted additional meeting handouts as follows:

- ◆ meeting handouts regarding public involvement in waste confidence (ADAMS Accession No. ML13319A111) at <http://pbadupws.nrc.gov/docs/ML1331/ML13319A111.pdf>;
- ◆ additional issues for public comment (ADAMS Accession No. ML13319A108) at <http://pbadupws.nrc.gov/docs/ML1331/ML13319A108.pdf>; and,
- ◆ high-interest spent-fuel activities (ADAMS Accession No. ML13319A110) at <http://pbadupws.nrc.gov/docs/ML1331/ML13319A110.pdf>.

For information on the proposed rule, extended public comment period, submission of written comments, and participation in the upcoming public meetings, please visit the Waste Confidence Public Involvement webpage at <http://www.nrc.gov/waste/spent-fuel-storage/wcd/pub-involve.html>.

For additional information, please contact Sarah Lopas of the NRC at (301) 287-0675 or at Sarah.Lopas@nrc.gov.

U.S. Nuclear Regulatory Commission

Availability of Waste Confidence Public Meetings Summaries and Transcripts

The U.S. Nuclear Regulatory Commission's Waste Confidence Directorate has published the following links to recent Waste Confidence public meeting transcripts and summaries that are available to date:

Rockville, Maryland on October 1

- ◆ Transcript (ML13277A455): <http://pbadupws.nrc.gov/docs/ML1327/ML13277A455.pdf>
- ◆ Meeting Summary (ML13282A611): <http://pbadupws.nrc.gov/docs/ML1328/ML13282A611.pdf>

Denver, Colorado on October 3

- ◆ Transcript (ML13282A605): <http://pbadupws.nrc.gov/docs/ML1328/ML13282A605.pdf>
- ◆ Meeting Summary (ML13295A427): <http://pbadupws.nrc.gov/docs/ML1329/ML1329A427.pdf>

Chelmsford, Massachusetts on October 28

- ◆ Transcript (ML13310B069): <http://pbadupws.nrc.gov/docs/ML1331/ML13310B069.pdf>
- ◆ Meeting Summary (ML13323B497): <http://pbadupws.nrc.gov/docs/ML1332/ML13323B497.pdf>

Tarrytown, New York on October 30

- ◆ Transcript (ML13318A129): <http://pbadupws.nrc.gov/docs/ML1331/ML13318A129.pdf>
- ◆ Meeting Summary (ML13323B515): <http://pbadupws.nrc.gov/docs/ML1332/ML13323B515.pdf>

Federal Agencies and Committees *continued*

Charlotte, North Carolina on November 4

- ◆ Transcript (ML13323B474): <http://pbadupws.nrc.gov/docs/ML1332/ML13323B474.pdf>
- ◆ Meeting Summary (ML13331A719): <http://pbadupws.nrc.gov/docs/ML1333/ML13331A719.pdf>

Orlando, Florida on November 6

- ◆ Transcript (ML13330B643): <http://pbadupws.nrc.gov/docs/ML1333/ML13330B643.pdf>
- ◆ Meeting Summary (ML13331A720): <http://pbadupws.nrc.gov/docs/ML1333/ML13331A720.pdf>

Oak Brook, Illinois on November 12

- ◆ Transcript (ML13330C033): <http://pbadupws.nrc.gov/docs/ML1333/ML13330C033.pdf>
- ◆ Meeting Summary (ML13343A161): <http://pbadupws.nrc.gov/docs/ML1334/ML13343A161.pdf>

Rockville, Maryland on November 14

- ◆ Transcript (ML13330B840): <http://pbadupws.nrc.gov/docs/ML1333/ML13330B840.pdf>

Carlsbad, California on November 18

- ◆ Transcript (ML13339A942): <http://pbadupws.nrc.gov/docs/ML1333/ML13339A942.pdf>

San Luis Obispo, California on November 20

- ◆ Transcript (ML13339A946): <http://pbadupws.nrc.gov/docs/ML1333/ML13339A946.pdf>

Perrysburg, Ohio on December 2

- ◆ Transcript (ML13340A572): <http://pbadupws.nrc.gov/docs/ML1334/ML13340A572.pdf>

Minnetonka, Minnesota on December 4

- ◆ Transcript (ML13344B149): <http://pbadupws.nrc.gov/docs/ML1334/ML13344B149.pdf>

Rockville, Maryland Teleconference on December 9

- ◆ Transcript (ML13345B014): <http://pbadupws.nrc.gov/docs/ML1334/ML13345B014.pdf>

Background

The proposed rule and generic environmental impact study, collectively known as “waste confidence,” were published on September 13, with a public comment period set to expire on November 27. (See related story, this issue.) The agency scheduled 12 meetings around the country to present the findings and receive public comments. (See *LLW Notes*, September/October 2013, pp. 37-39.)

Transcripts and meeting summaries can also be found on the Waste Confidence Public Involvement website at <http://www.nrc.gov/waste/spent-fuel-storage/wcd/pub-involve.html>. More meeting summaries will be posted to the website as soon as they are available.

For additional information, please contact Sarah Lopas of the NRC at (301) 287-0675 or at Sarah.Lopas@nrc.gov.

NRC Discusses Cumulative Effects of Regulation and Risk Prioritization

On November 6, 2013, the U.S. Nuclear Regulatory Commission held a public meeting at the agency's headquarters in Rockville, Maryland to discuss the agency's effort to account for the combined effect of multiple regulatory actions and an initiative to prioritize nuclear power plant activities based on potential risk reduction.

The Commission recently directed the staff to continue efforts aimed at ensuring the agency can "consider more completely the overall impacts of multiple regulatory actions on licensees and their ability to focus effectively on items of greatest safety import." In addition, the Commission directed the staff to include opinions from those interested in the topic, write up any recommendations and report them to the Commission by March 2015. The Commission also directed the staff to propose ways that U.S. nuclear power plants could prioritize "the implementation of regulatory actions as an integrated set and in a way that reflects their risk significance on a plant-specific basis."

The meeting was held from 8:00 a.m. - 1:00 p.m. in Room 8A28 of the NRC's Three White Flint building at 11601 Lands Down Street in Rockville, Maryland. The meeting covered the staff's latest efforts on both issues, as well as an industry proposal on risk prioritization. The staff encouraged industry and public interest groups to comment on both topics and the public was invited to take part in the discussion.

For additional information, please contact Tim Reed of the NRC at (301) 415-1462 or at timothy.reed@nrc.gov.

NRC Discusses Possible Changes to Emergency Response Requirements

On November 19, 2013, the U.S. Nuclear Regulatory Commission held a public meeting to discuss the agency's effort to revise how U.S. nuclear power plants must plan to deal with potential accidents or events.

The meeting began with discussion of the staff's ongoing efforts—including preliminary rule language changes to revise the NRC's regulations to account for what's been learned from the 2011 Fukushima nuclear accident. The meeting's afternoon session covered the industry's proposed approach to implementing several Fukushima-related changes, such as assessing potential health effects from a multi-reactor accident.

The meeting, which was held in Room 8A29 of the NRC's Three White Flint North building, was scheduled from 9:00 a.m. - 2:30 p.m. The staff encouraged discussions with industry and public interest groups on the agency's presentations.

For additional information, please contact Brian Harris of the NRC at (301) 415-2277 or at brian.harris@nrc.gov or Jenny Tobin of the NRC at (301) 415-2328 or at jennifer.tobin@nrc.gov.

Obtaining Publications

To Obtain Federal Government Information

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- DOE Public Affairs/Press Office (202) 586-5806
- DOE Distribution Center (202) 586-9642
- EPA Information Resources Center (202) 260-5922
- GAO Document Room (202) 512-6000
- Government Printing Office (to order entire *Federal Register* notices) (202) 512-1800
- NRC Public Document Room (202) 634-3273
- Legislative Resource Center (to order U.S. House of Representatives documents) (202) 226-5200
- U.S. Senate Document Room (202) 224-7860

by internet

- NRC Reference Library (NRC regulations, technical reports, information digests, and regulatory guides). www.nrc.gov
- EPA Listserve Network • Contact Lockheed Martin EPA Technical Support at (800) 334-2405 or email (leave subject blank and type help in body of message). listserv@unixmail.rtpnc.epa.gov
- EPA • (for program information, publications, laws and regulations) www.epa.gov
- U.S. Government Printing Office (GPO) (for the Congressional Record, *Federal Register*, congressional bills and other documents, and access to more than 70 government databases). www.access.gpo.gov
- GAO homepage (access to reports and testimony) www.gao.gov

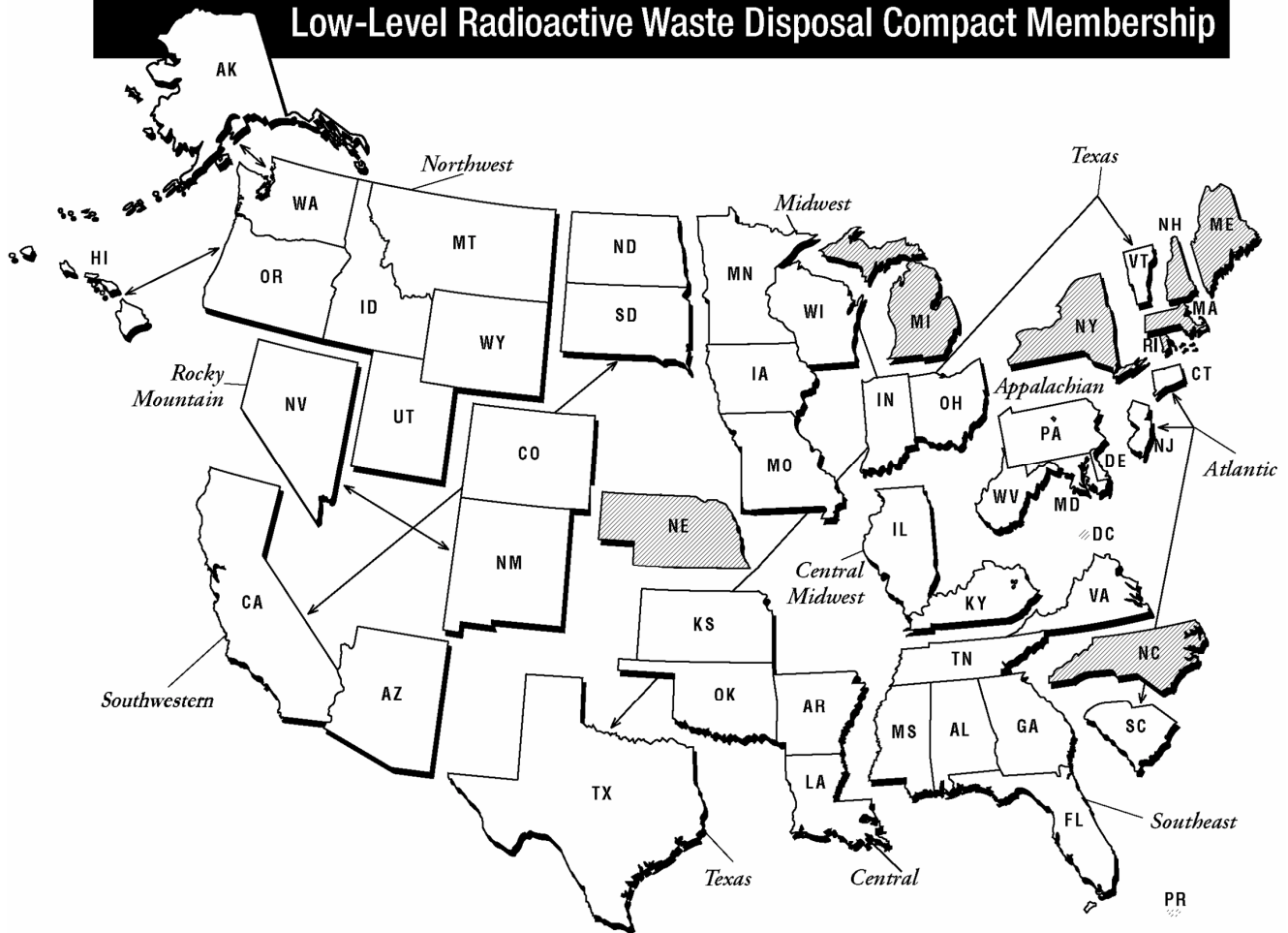
To access a variety of documents through numerous links, visit the website for the LLW Forum, Inc. at www.llwforum.org

Accessing LLW Forum, Inc. Documents on the Web

LLW Notes, *LLW Forum Contact Information* and the *Summary Report: Low-Level Radioactive Waste Management Activities in the States and Compacts* are distributed to the Board of Directors of the LLW Forum, Inc. As of March 1998, *LLW Notes* and membership information are also available on the LLW Forum website at www.llwforum.org. The *Summary Report* and accompanying Development Chart have been available on the LLW Forum website since January 1997.

As of March 1996, back issues of these publications are available from the National Technical Information Service at U.S. Department of Commerce, 5285 Port Royal Road, Springfield, VA 22161, or by calling (703) 605-6000.

Low-Level Radioactive Waste Disposal Compact Membership



Appalachian Compact

Delaware
Maryland
Pennsylvania
West Virginia

Atlantic Compact

Connecticut
New Jersey
South Carolina

Central Compact

Arkansas
Kansas
Louisiana
Oklahoma

Central Midwest Compact

Illinois
Kentucky

Northwest Compact

Alaska
Hawaii
Idaho
Montana
Oregon
Utah
Washington
Wyoming

Midwest Compact

Indiana
Iowa
Minnesota
Missouri
Ohio
Wisconsin

Rocky Mountain Compact

Colorado
Nevada
New Mexico

Northwest accepts Rocky Mountain waste as agreed between compacts

Southeast Compact

Alabama
Florida
Georgia
Mississippi
Tennessee
Virginia

Southwestern Compact

Arizona
California
North Dakota
South Dakota

Texas Compact

Texas
Vermont

Unaffiliated States

District of Columbia
Maine
Massachusetts
Michigan
Nebraska
New Hampshire
New York
North Carolina
Puerto Rico
Rhode Island