

LLW *notes*

Volume 34 Number 4 July/August 2019

NRC Seeks Public Comment on Draft Regulatory Basis for Greater-Than-Class C Waste Disposal

The Nuclear Regulatory Commission (NRC) is seeking public comment on a draft regulatory basis for potential new regulations governing the near-surface disposal of certain low-level radioactive waste.

NRC classifies low-level radioactive waste based on its potential hazards and has specified disposal and waste requirements for three classes of waste with progressively higher concentrations of radioactive material. Class A is the least hazardous and Class C the most hazardous. However, a fourth type of low-level radioactive waste, called “greater-than-Class-C” (GTCC), contains radionuclides exceeding the concentration limits for Class C. GTCC waste is typically activated metals from power reactors, sealed sources, and waste material from medical radioisotopes, but it may also contain special nuclear material such as enriched uranium or plutonium. Currently, there are no facilities licensed to dispose of GTCC waste, so it is being stored at nuclear power plants or at interim storage sites.

The draft regulatory basis evaluates whether certain GTCC waste could be safely disposed in a near-surface disposal facility. It also evaluates whether regulatory changes would need to be considered to permit such action, and whether NRC or certain states should regulate such disposal.

Please note that the information in the draft regulatory basis has not received the review and approval of the Commission.

In addition, please note that the LLW Forum’s Part 61 Working Group will review this document and may provide comments. Rusty Lundberg, Utah, is the Chair of the WG while Gary Robertson is the technical consultant. We will keep you apprised of this effort. As of mid-August, NRC had posted comments from Westinghouse, Nevada Division of Environmental Protection, EnergySolutions, Waste Control Specialists and a student. Use the link under “To View Documents” to read the submissions. Please contact me if you have questions. Joe Klinger jklinger@llwforum.org



In this Issue... Find plans for the LLW Forum Fall Meeting, and read about proposals for changes to waste classifications, proposed rules for small generator reservations for the Texas Compact, public interactions regarding nuclear power plant decommissioning and inspections, and updates on spent fuel storage, along with news from the Compacts and NRC News Releases.

Background and Staff Conclusions:

By letter dated January 30, 2015, the Texas Commission on Environmental Quality (TCEQ) questioned if Texas had the authority to license GTCC waste. NRC directed staff to develop a regulatory basis for disposal of GTCC waste in other than deep geologic disposal, including near-surface, and examine if NRC should retain authority over its disposal. Staff concluded that approximately 80% by volume is suitable for near-surface disposal and that Agreement States could assume responsibility over 95% of the 80% that is suitable for such disposal.

To View Documents: NRC ADAMS online database under accession number ML19059A403 www.nrc.gov/docs/ML1905/ML19059A403.pdf. *Federal Register* 35037 Vol. 84, No. 140 Monday, July 22, 2019, www.govinfo.gov/content/pkg/FR-2019-07-22/pdf/2019-15434.pdf

Comment period: 60-day period, **deadline September 20, 2019**

Comments may be submitted via the federal government’s rulemaking website, www.regulations.gov <https://www.regulations.gov/> using Docket ID NRC- 2017-0081. To make or view comments, visit the docket folder <https://www.regulations.gov/docket?D=NRC-2017-0081>

Public Meeting: NRC held a public meeting on Aug. 27 in Austin, Texas, to present the draft regulatory basis and receive public comments. See page 12 of this issue for transcript information.

About LLW Forum, Inc.

LLW Forum, established to facilitate state and compact implementation of the Low-Level Radioactive Waste Policy Amendments Act of 1985, promotes the objectives of the low-level radioactive waste regional compacts. LLW Forum provides opportunity for state and compact officials to share information with each other and to exchange views with officials of federal agencies and other interested parties.

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Acronyms Used in LLW notes

CFR	◆ Code of Federal Regulations
CRCPD	◆ Conference of Radiation Control Program Directors
DOE	◆ US Department of Energy
DOT	◆ US Department of Transportation
EPA	◆ US Environmental Protection Agency
IAEA	◆ International Atomic Energy Agency
ICRP	◆ International Commission on Radiation Protection
LLWF	◆ Low-Level Waste Forum, Inc.
NARM	◆ Naturally occurring and accelerator produced radioactive material
NCRP	◆ National Council on Radiation Protection and Measurements
NORM	◆ Naturally occurring radioactive material
NRC	◆ US Nuclear Regulatory Commission
OAS	◆ Organization of Agreement States
TENORM	◆ Technologically enhanced naturally occurring radioactive material

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Fall 2019 LLW Forum Meeting

Embassy Suites Hotel Chicago Downtown Magnificent Mile
October 31 - November 1, 2019

Attend the Fall LLW Forum Meeting, 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. Network with government and industry officials to participate in decision-making on future actions and endeavors affecting low-level radioactive waste management and disposal. Officials from states, compacts, federal agencies, nuclear utilities, disposal operator, brokers/processors, industry and other interested parties will be attending.

Meeting Dates

- October 30, Wednesday from 9:00 - Noon - LLW Forum Transformation Planning Meeting for Forum Board Members and Invited Guests only
- October 30, Wednesday from 1:00 p.m.-5:00 p.m. - LLW Forum's Disused Sources Working Group (DSWG) Members, Staff, Organizational Liaisons and Invited Guests
 - October 31, Thursday from 7:30 - 9:00 a.m. - Executive Committee
 - October 31, Thursday from 9:00 – 5:00 – LLW Forum Meeting
 - November 1, Friday from 9:00 to 1:00 - LLW Forum Meeting

Meeting Documents

Visit LLW Forum Meeting page llwforum.org/llw-forum-meeting/

Registration

Free for up to two individuals representing members of the LLW Forum. Additional and non-member registration is \$600, payable by check only to the "LLW Forum, Inc." (Credit card payments are not accepted.) Complete the meeting registration form at your earliest convenience and return it to the LLW Forum at the mailing or e-mail address listed at the bottom of the registration form.

Hotel Reservations

Deadline for reserved rate: October 1, 2019.

Make hotel reservations and send in the registration forms as soon as possible as there is limited space available in our discount room block. The block is reserved for Tuesday night (October 29th) through Friday (November 1st) at the rate of \$189 plus tax per night (single or double). The same rates have been extended to three days post the meeting dates, subject to availability. To make a reservation, please call (312) 836-5970 or 1-800-525-2509 (Group Code is LLW.IC) or visit the LLWF website meeting page.

Transportation

Taxi is recommended but Uber/Lyft are also available from O'Hare and Midway Airports. For more details regarding public transportation to the Embassy Suites, please see LLW Forum Meeting page at www.llwforum.org/llw-forum-meeting/

We look forward to seeing you at the LLWForum Fall Meeting, Joe Klinger

Join Us at the LLWF Fall Meeting

The LLWF will be meeting in Chicago, October 31-November 1, for the Fall Meeting and I hope you will join us for the discourse on waste management and disposal and the LLWF activities. The Fall Meeting will have emphasis on accelerated decommissioning with a panel of experts. More information is available in this issue to assist you with registration and lodging.

We have developed a draft agenda for the meeting, and we have placed a DSWG update to the full Forum meeting on the agenda, as we think it is important to update all the Forum meeting participants on the activities of the DSWG as well as the Part 61 Working. For more information about the Working Groups, see the LLWF Working Groups page in this issue.

If you have any other topic suggestions or questions or concerns, please contact me. I look forward to seeing you in Chicago if not sooner. Joe Klinger jklinger@llwforum.org, Interim Executive Director.

Streamlining the LLW notes

Consistent with the Forum transformation, with this issue of **LLW notes**, as you may notice, we are making some changes with the goal of streamlining the newsletter to a shorter publication with added value.

LLWF would like to thank Rita Houskie, former Administrator for the Central Interstate Low-Level Radioactive Waste Commission, for all her assistance to the Forum though the years, including her production of the newsletter, even continuing after her retirement from the Compact Commission. With this issue, Margaret Henderson is assuming the technical editing and design role. Margaret is the Technical Editor for CRCPD, was the first Executive Director of the Texas Compact during its two years of set-up and initial operations, for many years was the liaison for the Texas Radiation Advisory Board to federal and state entities and a health physicist with the Texas regulatory program, and is a community planning consultant.

Please send us any comments and suggestions about the **LLW notes** so that we may make the publication suit your needs and provide additional value and use to you. We look forward to hearing from you. Contact me at jklinger@llwforum.org.

LLWF Disused Sources Working Group Presents Poster at Organization of Agreement States

The DSWG was represented by Mike Klebe, the Group's Technical Consultant, at the OAS meeting, August 19-22 in Minneapolis. The Working Group is seeking collaborative efforts to enhance the safety and security of radioactive sources. For more on the Working Group, and the poster presentation, see the LLWF Working Group page in this issue.,



Mike Klebe, DSWG, at the Poster Session, visited by Susan Jenkins, SC Radiation Control Program and DSWG member, at the OAS Meeting

Part 61 Working Group

In early 2012, the LLWF formed a Part 61 Working Group to provide input and comment on the NRC's Part 61, *Licensing Requirements for Land Disposal of Radioactive Waste*, rulemaking initiative. The P61WG includes representatives of all four sited states—South Carolina, Texas, Utah and Washington—plus the Commonwealth of Pennsylvania.

Current information about the P61WG — including project highlights, summary of recommendations, resource material links and membership/staff contact information — can be found at [//part-61.org/](http://part-61.org/).

Included on the website is access to the Working Group's *Briefing Paper on the NRC Staff Requirements Memorandum (SRM) Concerning the Part 61 Rulemaking Initiative*, September 2014.

The Part 61 Working Group members participated in the webinar and public meeting in Austin, Texas, on the *NRC's Draft Regulatory Basis for Greater-Than-Class C Waste Disposal*. The Working Group is beginning the review of the recently distributed draft regulatory basis for GTCC waste. This is an important document and Gary Robertson will be leading the technical review for the Working Group.

More on the Part 61 Working Group activities will be available at the upcoming LLWF Fall Meeting.

Disused Sources Working Group

LLW Forum formed the Disused Sources Working Group (DSWG) in September 2011 at the request of the U.S. Department of Energy National Nuclear Security Administration/Global Threat Reduction Initiative to develop recommendations for improving the management and disposition of disused sealed sources that pose a threat to national security.

To find current information about the DSWG — including project highlights, summary of recommendations, resource material links and membership/staff contact information — visit Disused Sources Working Group website at www.disusedsources.org/

Included on the website is access to the March 2014 *Report of the Disused Working Group* in which DSWG developed 24 recommendations to be considered by States, Federal agencies and industry representatives in implementing individual contributions towards a timely and comprehensive solution.

Liaisons to the Working Group are Jennifer Opila, OAS; Craig Little, Health Physics Society; and Denny Galloway, CRCPD.

The Fall Meeting of the LLWF will have a half-day DSWG meeting in the afternoon of October 30. The meeting will encourage thinking of creative ways where DSWG can continue to make significant contributions to the mission.

Disused Sources Working Group - continued

Poster Presentation at the 2019 Organization of Agreement States Annual Meeting

by Mike Klebe, Technical Consultant to DSWG

The Low-Level Radioactive Waste Forum's (LLW Forum) Disused Sources Working Group (DSWG) made a poster presentation at the 2019 Annual Meeting of the Organization of Agreement States in Minneapolis, MN, on August 19-22. The intent of the poster was to make the Agreement State regulators aware of the work of the DSWG and the results of this spring's survey of licensees on the value of a sealed source exchange program.

The poster presentation was divided into two parts. The first part was a general summary of the recommendations presented in the DSWG 2014 report titled: *Report of the Disused Sources Working Group – A Study of the Management and Disposition of Sealed Sources from a National Security Perspective*. The second, and main portion of the poster, was a summary of the results received from a survey of licensees on the interest of establishing a secured source exchange program.

While disposal access is now available for most disused sealed sources (sources no longer needed), many sources are not being disposed due to high disposal costs. One potential alternative is reuse/recycle. The DSWG is considering the possibility of creating a Secure Disused Source Exchange Program that would allow radioactive materials licensees to list their unwanted sources safely, on a secure website that other licensees in need of a sealed source could access.

The Exchange would work with licensees, source and device manufacturers, and recyclers to provide them with information about sources still having a useful life, with the goal of increasing beneficial reuse and recycle opportunities. The website would contain the complete pedigree of each source, while maintaining the confidentiality of each source licensee. The purpose of the survey was to solicit feedback and input on this potential secure exchange program.

Two hundred sixty-four licensees responded to the survey. The overwhelming majority of respondents indicated they thought the program would be beneficial and would register their disused sources on the exchange and use the exchange to obtain sealed sources.

A representative of the DSWG was present at the OAS meeting and actively engaged the meeting attendees and responded to questions.

CRCPD Orphaned Sources Program

The Orphaned Sources Program formed in 1998 to develop a nationwide Orphaned Source Program to help properly disposition sources found in the public domain that the licensee was unknown and posed a potential public health, safety and security concern. The program was successful and continues today through funding by the USNRC. The Program is conducted through CRCPD's E-34 Working Group.

CRCPD SCATR Program

The Source Collection and Threat Reduction Program (SCATR) Program, which began in 2007, supported financially and technically by the DOE's Global Threat Reduction Initiative (Global Material Security Group), is another Program conducted through CRCPD's E-34 Working Group.

Through this Program, approximately 27,000 unwanted disused radioactive sealed sources have been transferred from long-term storage (often times not the most secure situation) and properly dispositioned.

The role of the LLWF may including participating in an outreach effort through the Forum to encourage compacts/states to promote the SCATR program to reduce the inventory of disused/unwanted sources in long-term storage throughout the country. The Forum will be looking at opportunities to partner with others to enhance the Program and encourage more to dispose of disused or unwanted sources. The status of this effort will be discussed at the October 30 DSWG meeting.

Atlantic Compact

Connecticut •
New Jersey • South Carolina

The next meeting of the Atlantic Compact Commission will be held on Tuesday, October 22, 2019, at 10:00 AM, in Columbia, South Carolina. Contact: M.K. Batavia, P.E., Executive Director max@atlanticcompact.org. An agenda will be available in the future.

The Atlantic Compact Regional Alternative Rate Schedule, effective July 1, 2019, is available at www.atlanticcompact.org/pdf_file_drs/a8ba7deac38319bf55896fb6dd3ddcee.2019-2020-Alternate-Rate-Schedule-ARS-Maximum-Uniform-Rate-SchedulesMURS.pdf

Appalachian Compact

Delaware • Maryland •
Pennsylvania • West Virginia

Pennsylvania**NRC Seeks Public Comment on Draft Environmental Impact Statement for Peach Bottom Subsequent License Renewal**

Nuclear Regulatory Commission staff will meet in Delta, Pa., on Sept. 12 to discuss the agency's draft Environmental Impact Statement on Exelon Generation Company's application for an additional 20 years of operation for Peach Bottom Atomic Power Station Units 2 and 3. The NRC is interested in the public's views on the draft conclusion: environmental impacts are not great enough to prevent the agency from considering issuance of the renewed licenses. The NRC will hold the meeting at the Peach Bottom Inn, 6085 Delta Road in Delta, from 6-8 p.m. An NRC open house, from 5-6 p.m., will provide members of the public the opportunity to speak informally with agency staff. Staff presentations at the meeting will describe the environmental review process and the draft findings, and will be followed by a formal public comment period.

Appalachian Compact - continued

Those wanting to register in advance to comment at the meetings should contact David Drucker no later than Aug. 29, by telephone at 800-368-5642 ext. 6223 or via e-mail at david.drucker@nrc.gov. Those requesting to speak may also register at the meeting no later than 5:45 p.m. Individual comments could be limited by the time available and the number of people asking to speak. Individuals with special needs for attending or presenting information at the meetings should contact Mr. Drucker, also no later than Aug. 29.

NRC staff will consider written comments on the draft EIS until Sept. 23, following the publication of a notice in the Federal Register. Please include Docket ID NRC-2018-0130 with your comment, via the regulations.gov website.

Source: NRC Press Release

No: 19-036 August 8, 2019

Contact: Scott Burnell, 301-415-8200

Central Midwest Compact

Illinois • Kentucky

The Annual Meeting of the Central Midwest Low-Level Radioactive Waste Compact Commission was held on August 27, 2019, in a Springfield, IL. Actions during the meeting included:

- Election of Officers, with Gary McCandless to be incoming FY 20 Chairman and Commissioner Crawford to remain Secretary/Treasurer.
- Exelon update from Mark Ross, Corporate Rad Waste Manager, who provided an update on the eleven Illinois nuclear power plant (NPP) reactors, an estimated annual volume of resins shipped, some background on the Three Mile Island NPP closure in September 2019, and some thoughts on SAFSTOR vs. Accelerated Decommissioning.
- Information from Commissioner Klinger who provided a more detailed report on the LLW Forum, Inc. transition and its seeking of an Executive Director, the LLW Forum meeting in Chicago on October

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Central Midwest Compact - continued

- 30- November 1, 2019, his attendance at the Rad Waste Summit in Henderson, NV, in September, and participation as a speaker on an NRC rulemaking panel. He also gave an update on the CRCPD E-34 Working Group scrap video, available at <https://videos.isri.org/radiation-safety>. It will be placed on the CMCC website as well.
- Updates from Commissioner Crawford and Matt McKinley, Kentucky Radiation Control, who noted there are no pending legislation or other issues to report in Kentucky.
- Financial reports including an update on the FY 19 financials, the FY 19 audit, passage of the FY 20 budget proposal, and investment review.
- Illinois waste updates noting a large disposition of sources that occurred in June of 2019 (more than 250 sources), an update on rail/road shipments, and an update on waste generation along with other information.

The next meeting will be April 7, 2020. Frankfort, KY, was tentatively selected for the Spring Meeting.

Midwest Compact

Indiana • Iowa • Minnesota • Missouri • Ohio • Wisconsin

The Midwest Compact Commission met June 7, 2019, and reported draft minutes with actions as follows:

- The FY 2019 Fiscal Report was approved as circulated, noting the LLWF membership as the largest item of expense. The sum of expenses was lower than expected due to lack of legal expenses and reduction in travel expenses (for reimbursement not requested).
- The Executive Director provided a report, and the FY 2020 anticipated expenses were discussed for legal, auditing and the LLWF membership. Future co-sponsoring of a LLWF meeting and associated costs were discussed. For more information, contact: Jim Chiles, Executive Director, <jim.chiles@state.mn.us>

Midwest Compact - continued**Ohio****NRC to Hold Open House to Discuss 2018 Performance of Davis-Besse Nuclear Power Station**

Nuclear Regulatory Commission staff will discuss the 2018 safety performance of the Davis-Besse nuclear power plant during an open house on July 18 in Oak Harbor, Ohio.

Source: NRC News Release

No: III-19-017 July 10, 2019

Contact: Viktoria Mitlyng, 630-829-9662 Prema Chandrathil, 630-829-9663

NRC to Hold Open House to Discuss 2018 Performance of Perry Nuclear Power Plant

Nuclear Regulatory Commission staff will discuss the 2018 safety performance of the Perry nuclear power plant during an open house on July 17 in Perry, Ohio. The facility, operated by FirstEnergy Nuclear Operating Co., is located in Perry, Ohio, approximately 35 miles northeast of Cleveland.

Source: NRC News Release

No: III-19-016 July 9, 2019

Contact: Viktoria Mitlyng, 630-829-9662 Prema Chandrathil, 630-829-9663

NRC Launches Special Inspection at Fermi Nuclear Power Plant

The Nuclear Regulatory Commission has launched a special inspection at the Fermi nuclear power plant to determine if degraded paint inside a portion of the reactor containment could impact certain safety systems in accident conditions. Loose paint chips from the torus could potentially impede the flow of water to safety-related equipment. The inspectors will provide their preliminary conclusions regarding the significance of the issue in a publicly available report to be released approximately 45 days following completion of the inspection. The plant continues to operate safely. The plant, operated by DTE Electric Company, is located in Newport, Mich., approximately 25 miles northeast of Toledo.

Source: NRC News Release

No: III-19-018 July 11, 2019

Midwest Compact - continued

Contact: Viktoria Mitlyng, 630-829-9662 and Prema Chandrathil, 630-829-9663 Chandrathil, 630-829-9663

Northwest Compact

Alaska • Hawaii • Idaho • Montana • Oregon • Utah •
Washington • Wyoming

The annual committee was held June 20, 2019. The meeting notes have not been finalized, and will not be available for posting until after they are approved (which will occur during the 2020 meeting).

Southeast Compact

Alabama • Florida • Georgia •
Mississippi • Tennessee • Virginia

Tennessee**NRC Schedules Community Meeting in Erwin to Discuss Inspection and Oversight of Fuel Facilities**

The meeting is scheduled to begin at 7 p.m. at the Erwin Town Hall, 211 North Main Ave., July 16. Following a short introductory NRC presentation, the meeting will be opened to attendees, who each will be given five minutes to make statements and/or ask questions of the NRC staff involved in licensing and inspection activities.

Source: NRC News Release

No: II-19-030 July 2, 2019

Contact: Roger Hannah, 404-997-4417 and Joey Ledford, 404-997-4416

NRC to Hold Mandatory Hearing on Clinch River Early Site Permit Application

The Nuclear Regulatory Commission will conduct a mandatory hearing Aug. 14, regarding an application for an Early Site Permit for one or more small modular reactors at the Clinch River site in Tennessee, the final step in the agency's review of the application.

Source: NRC News Release

No: 19-034 July 24, 2019

Contact: Scott Burnell, 301-415-8200

Southeast Compact - continued**NRC Atomic Safety and Licensing Board to Hold Oral Argument on Turkey Point Subsequent Renewal Application**

A Nuclear Regulatory Commission Atomic Safety and Licensing Board will hear an oral argument in Rockville, Md., on Sept. 9, regarding a petition to hold an adjudicatory hearing concerning Florida Power and Light's subsequent license renewal application for the Turkey Point Unit 3 and 4 reactors near Homestead, Fla.

Source: NRC News Release

No: 19-040 August 22, 2019

Contact: Scott Burnell, 301-415-8200

NRC Schedules Meeting to Receive TVA Update on Work Environment Issues

The Nuclear Regulatory Commission has scheduled an Aug. 27 public meeting with Tennessee Valley Authority officials to be briefed on the status and progress of actions to improve the safety conscious work environment at the Watts Bar nuclear power plant.

Source: NRC News Release

No: II-19-032 August 16, 2019

Contact: Roger Hannah, 404-997-4417 Joey Ledford, 404-997-4416

Texas Compact

Texas • Vermont

TLLRWDCC Small Quantity Generator Set-Aside Rule Proposed

The TLLRWDCC proposed Small Quantity Generator Set-Aside rule has been published in the July 5, 2019 Texas Register for public comment period that ended **August 3, 2019**. See 44 TexReg 3430 July 5, 2019 at www.sos.texas.gov/texreg/index.shtml. The proposed amendment and new rule will better serve the public by ensuring that small quantity generators of low-level radioactive waste will have available capacity from the total annual allotment for the disposal of that waste.

Texas Compact - continued

For more information, contact: Executive Director, Texas Low-Level Radioactive Waste Disposal Compact Commission, 919 Congress Avenue, Suite 830, Austin, TX 78701. Telephone 512-217-8045 with any questions.

Meetings

Scheduled meetings were held July 19 and August 22, 2019. The next tentative meeting date is October 11, in Montpelier, VT. July and August meetings addressed import and export applications and staffing, including the possible replacement of the Executive Director and administrative staff, and the "Set-Aside Rule." The July meeting addressed adoption of the next Fiscal Year budget. The July meeting can be viewed at www.youtube.com/watch?v=V3erkuFfAt-g&feature=youtu.be

Import and Export Applications Considered:**July 18, 2019****Importation of low-level radioactive waste:**

- a. Philotechnics import application 1-0218-00
- b. RAM Services import application 1-0219-00
- c. Energy Solutions import application 1-0220-00
- d. PermaFix import application 1-0221-00
- e. Energy Solutions import application 1-0222-00
- f. NextEra Seabrook import application 1-0223-00
- g. PerkinElmer import application 1-0224-00
- h. TVA import application 1-0225-00
- i. TVA IH import application 1-0226-00
- j. Aerojet Ordinance import application 1-0227-00
- k. US Army JMC import application 1-0228-00
- l. Qal Tek import application 1-0229-00

Texas Compact - continued**Exportation of low-level radioactive waste:**

- a. STP NOC export application 3-0032-00
- b. Comanche Peak export application 3-0033-00

August 22, 2019**Importation of low-level radioactive waste:**

- a. Bionomics – Import Application TLLRWDCC 1-0230-00
- b. APS Palo Verde-Import-Application-TLLRWD-CC-1-0231-00
- c. NURATEC-Import-Application-TLLRWD-CC-1-0232-002
- d. Wolf Creek NOC -Import-Application-TLLRWDCC-1-0233-00
- e. Duke Energy Brunswick Import Application TLLRWDCC 1-0234-00
- f. Duke Energy Brunswick IH Import Application TLLRWDCC 1-0235-00

Exportation of low-level radioactive waste:

- a. Bionomics UT Galveston export application 3-0034-00
- b. Cardinal Health export application 3-0035-00

Import and Export Submission of Applications**Now Online**

All import and export applications submitted to TLLRWDCC for review must now use the on-line submission forms. See the website for further details at www.tllrwdcc.org/.

Note: In the States and Compact Section, NRC news releases are abbreviated. Access the complete news release at the NRC website www.nrc.gov/reading-rm/doc-collections/news/ or by clicking on links provided as the "Press Release No."

Continued from cover story on page one-

Availability of Transcripts from NRC Public Meetings on Draft Regulatory Basis for GTCC and TRU Waste Disposal

On August 22, 2019 and August 27, 2019, the NRC held a public webinar and a public meeting, respectively, to discuss the Draft Regulatory Basis for the Disposal of GTCC and Transuranic Waste, which was recently published (84 FR 35037; July 22, 2019) with a 60-day comment period that is currently scheduled to end on September 20. The transcripts from these meetings are now available. As requested by stakeholders, the NRC staff is making these transcripts publicly available as soon as possible. As such, please note that the NRC has not edited or made any corrections to these transcripts and is providing these documents “as received” from the transcribers. In addition, please note the following:

1. The transcripts from the August 22, 2019 public webinar and August 27 public meeting have been placed on the docket for the GTCC pre-rulemaking activities and are available at www.regulations.gov, and search for Docket ID NRC-2017-0081. Please be sure to check all search boxes.

2. The transcript from the August 22 public webinar is also available at:

A. In NRC's Agencywide Documents Access and Management System (ADAMS) at:

View ADAMS Properties ML19241A169

Open ADAMS Document (GTCC Public Webinar Transcript - August 22, 2019)

B. Available on NRC's public website on GTCC at www.nrc.gov/waste/llw-disposal/llw-pa/gtcc-transuranic-waste-disposal.html

3. The transcript from the August 27 public meeting is also available at:

View ADAMS Properties ML19246A696

Open ADAMS Document (GTCC Public Meeting Transcript - August 27, 2019)

It will be placed on the GTCC public website as soon as possible.

Decommission and Public Concerns

Public Meetings on Community Advisory Boards Associated with Decommissioning Nuclear Power Plants and Report to Follow

NRC announced locations for the public meetings that are being held August through October 2019 to receive input regarding best practices for community advisory boards associated with decommissioning nuclear power plants. The meetings are being held as required by the *Nuclear Energy Innovation and Modernization Act*, signed into law in January 2019. A minimum of 10 meetings must be held. NRC must submit a report to Congress on best practices for community advisory boards associated with nuclear power plants by July 12, 2020. The report will address:

- A description of topics that could be brought before a community advisory board;
- How a board's input might inform the decision-making process of stakeholders for various decommissioning activities;
- How a board might interact with the NRC and other federal agencies to promote dialogue between the licensee and affected stakeholders;
- How a board might offer opportunities for public engagement throughout all phases of decommissioning;
- A discussion of the composition of community advisory boards; and
- Best practices relating to the establishment and operation of such boards, including logistical considerations, frequency of meetings, the process for the selection of board members, etc.

Source: Adapted from NRC - News Release

No: 19-039 August 21, 2019

Contact: David McIntyre, 301-415-8200

Meetings

- Palisades, Aug. 21, Benton Harbor, Mich.
- Humboldt Bay, Aug. 26, Eureka, Calif.
- Diablo Canyon, Aug. 27, San Luis Obispo, Calif.
- San Onofre, Aug. 29, San Juan Capistrano, Calif.
- Vermont Yankee, Sept. 10, Brattleboro, Vt.
- Pilgrim, Sept. 11, Plymouth, Mass.
- Kewaunee, Sept. 24, Kewaunee, Wis.
- Zion, Sept. 26, Waukegan, Ill.
- Indian Point, Oct. 2, Cortlandt, N.Y.
- Oyster Creek, Oct. 3, Manahawkin, N.J.
- Crystal River, Oct. 10, Crystal River, Fla.

The *Nuclear Energy and Modernization Act*, Public Law 115-439, can be found at www.congress.gov/bill/115th-congress/senate-bill/512/text (See Text 4 tab.) Also see the January/February issue for further detail.

CRCPD's E-24 Committee on Decontamination and Decommissioning (D&D) Survey

The E-24 Committee of CRCPD conducted a D&D Survey intended to guide the committee in assessing those needs and to develop an initial baseline survey. The committee is charged with surveying states to determine their D&D needs. The survey was conducted in spring of 2019 and responses were to be collected, summarized, and posted to the CRCPD Web site under the E-24 Committee's Working Group Page when available. As results are made public, more information will be provided.

Contact person at CRCPD's E-24 Committee
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NRC Public Meeting on TMI Unit 1 Decommissioning and Public Concerns

by Rich Janati, Appalachian Compact Commission

The U.S. Nuclear Regulatory Commission (NRC) held a public meeting Tuesday, July 23, 2019, to share the decommissioning plans for TMI Unit 1, and address public concerns surrounding the plant shutdown which is set to go off line by the end of this September.

The meeting was based on Exelon Generation's submittal of the federally require Post Shutdown Decommission Activities Report (PSDAR) which details plans for Three Mile Island after its final shutdown, including the method selected for decommissioning and the schedule to dismantle systems and large components. Upon approval by the NRC, TMI Unit 1 will be placed in a regulatory condition called SAFSTOR whereby the nuclear fuel is removed from the reactor vessel and stored in the on site Independent Spent Fuel Storage Installation (ISFSI). The plant is placed in a safe storage condition for up to 60 years at which time the total dismantling of the plant is required by federal regulation.

Concerns expressed by stakeholders in attendance at the public meeting were, the safety of the spent nuclear fuel both in the spent fuel pool and the dry cask storage facility, long term storage vs. immediate decommissioning, adequacy of decommissioning funding, emergency response reduction,

environmental monitoring, and security of the overall facility. NRC has oversight and inspection responsibilities for the commercial nuclear power plants during SAFSTOR and subsequent decommissioning activities.

Contact for additional information:

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NRC News Releases

No: I-19-016 July 8, 2019

No. I-19-019 July 15, 2019

Diane Screnci, 610-337-5330

Neil Sheehan, 610-337-5331

Updated IAEA Communications Toolbox for Building Public Trust

An updated version of the IAEA's Nuclear Communicator's Toolbox is now available. The toolbox is designed and updated to helping nuclear organizations develop a communication strategy to build public trust.

See: www.iaea.org/newscenter/news/iaea-launches-revamped-nuclear-communicators-toolbox

Spent Fuel Storage and Management and Nuclear Security for Fuel Cycle Facilities

IAEA Publications on Spent Fuel Management

Behaviour of Spent Power Reactor Fuel during Storage (IAEATEC-DOC-1862), a new IAEA publication, is a compilation of information on the topic of spent fuel storage over four decades since 1981. Experts' data and recommendations are given. See www.iaea.org/newscenter/news/spent-fuel-management-four-decades-of-research

A related article, "Building Safeguards Into the Design of Spent Fuel Storage Facilities," is available at www.iaea.org/newscenter/news/building-safeguards-into-the-design-of-spent-fuel-storage-facilities.

NRC Publishes Annual Report to Congress on Nuclear Security Inspections

The report covers the NRC's security inspection program, including force-on-force exercises, for commercial nuclear power reactors and Category I fuel cycle facilities for calendar year 2018. It provides information regarding the overall security and safeguards performance of the commercial nuclear power industry and Category I fuel cycle facilities to keep Congress and the public informed of the NRC's efforts to oversee the protection of the nation's civilian nuclear power infrastructure and strategic special nuclear material. View the report at www.nrc.gov/docs/ML1907/ML19071A151.pdf

NRC Atomic Safety and Licensing Board to Hold Oral Arguments on Texas Spent Fuel Storage Application

A Nuclear Regulatory Commission Atomic Safety and Licensing Board heard oral arguments July 10-11 in Midland, Texas, on petitions for an adjudicatory hearing on Interim Storage Partners' license application for a consolidated interim spent fuel storage facility. The arguments were to address the standing of petitioners and the admissibility of their proposed contentions.

Interim Storage Partners, a joint venture of Waste Control Specialists and Orano USA, has applied for a license to build and operate a dry cask storage site for commercial spent nuclear fuel adjacent to the WCS low-level waste disposal facility in Andrews County.

The hearings will be open to the public, though only representatives for the petitioners, the applicant and the NRC staff will be permitted to participate. Signs, banners, posters, demonstrations and displays will not be allowed by NRC policy.

The board is composed of three administrative judges from the NRC's Atomic Safety and Licensing Board Panel. Boards conduct adjudicative hearings on licensing actions by the NRC, and are independent of the NRC staff. A board's rulings may be appealed to the Commission.

Source: NRC News Release No: 19-029 June 27, 2019

Contact: David McIntyre, 301-415-8200

Groups Represented Regarding TX Spent Fuel Storage

Beyond Nuclear

Sierra Club

Permian Basin Land and Royalty Organization

Fasken Land and Minerals

a coalition of Don't Waste Michigan

Citizens' Environmental Coalition

Citizens for Alternatives to Chemical Contamination

Nuclear Energy Information Service, Public Citizen

San Luis Obispo Mothers for Peace

Sustainable Energy and Economic Development Coalition

Leona Morgan

Interim Storage Partners

Industrial Security and Waste Management

NRC Notified of Theft and Recovery of Nuclear Density Gauge in Connecticut

A Connecticut company has notified the Nuclear Regulatory Commission of the theft of a portable moisture-density gauge containing sealed sources of radioactive material.

Tri-State Testing Lab, LLC, of Berlin, Conn., reported that the gauge was locked in the trunk of a car that was stolen from an employee's Tolland, Conn., driveway on June 30. The device contains small amounts of cesium-137 and americium-241. By July 2, 2019, Tri-State Testing Lab has notified the NRC that the missing gauge had been found. It was not damaged.

Further details are available from the source: NRC Press Release: No: I-19-015 Update July 2, 2019

Contact: Diane Screnci, 610-337-5330 and Neil Sheehan, 610-337-5331

ISRI Video

An educational video to help recycling workers in identifying radioactive sources, isolating the material, and notifying the proper authorities has been developed and released by the Institute of Scrap Recycling Industries (ISRI), through collaboration with CRCPD and the Indiana Department of Homeland Security (IDHS). To view the ISRI press release and link to the video, visit:

Press Release: www.isri.org/news-publications/press-releases

Video: videos.isri.org/radiation-safety

Discussion of Texas 2-Year Storage Rule

At the LLW Forum Fall Meeting of the DSWG, the Texas 2-year storage rule will be discussed. Todd provided a PowerPoint presentation recently and it would be helpful to review and discuss at the upcoming meeting.

NORM IX International Symposium

The International NORM IX conference is quickly approaching. The program includes presentations by world-wide experts in radiation protection and naturally occurring radioactive material. The draft preliminary program gives titles of the presentations and posters. A CRCPD workshop is included in the Wednesday afternoon agenda. See app.oxfordabstracts.com/events/543/program-app/program Additional information was published in the May/June issues of *LLW notes*.

Date and location: NORM IX – The 9th International Symposium on NORM, September 22 – 27, 2019, Embassy Suites Downtown Denver Convention Center, Denver, Colorado

Registration: \$650 for full registration. Register at the NORM IX Website at www.crcpd.org/mpage/NORMIX

Hotel reservation deadline: September 2, 2019 for special rates.

Disposal of Low-Level Radioactive Waste

Public Meeting Regarding Comments on “Requests to Dispose of Very Low-Level Radioactive Waste Pursuant to 10 CFR 20.2002”**PUBLIC MEETING ANNOUNCEMENT**

Title: Public meeting regarding comments on the NRC's Regulatory Issue Summary (RIS) 201611, “Requests to Dispose of Very Low-Level Radioactive Waste Pursuant to 10 CFR 20.2002.”

Date and Time: September 06, 2019, 10:00 AM to 11:30 AM

Location: NRC Two White Flint North, T6-D2 11545 Rockville Pike Rockville, MD

Category: This is a Category 2 meeting. The public is invited to participate in this meeting by discussing regulatory issues with the Nuclear Regulatory Commission (NRC) at designated points identified on the agenda.

Purpose: To discuss the NRC's proposed path forward to address concerns regarding RIS 2016-11 with the Nuclear Energy Institute, EnergySolutions, LLC, Waste Control Specialists LLC, and Agreement States.

Contact: Stephen Dembek 301-415-2342 Stephen.Dembek@nrc.gov

Participants: NRC: Office of Nuclear Material Safety and Safeguards Participants: External: EnergySolutions, Nuclear Energy Institute (NEI), Waste Control Specialists LLC, Agreement State

Comments: Interested members of the public can listen to the entire meeting and participate in this meeting at certain points via teleconference. Please call the Bridgeline at 1-888-9890729 and use passcode 7955844.

NRC and CNSC Sign Historic Memorandum to Enhance Technical Reviews of Advanced/Small Modular Reactor Technologies

The U.S. Nuclear Regulatory Commission and the Canadian Nuclear Safety Commission today signed an historic Memorandum of Cooperation for both agencies to increase regulatory effectiveness through collaborative work on the technical reviews of advanced reactor and small modular reactor technologies.

The memorandum represents a uniquely important step in both countries' strong commitment to a more effective, efficient, and timely analysis of next-generation technologies, and both agencies' safety and security mission. The NRC and CNSC are building on the joint Memorandum of Understanding signed in August 2017, accelerating efforts to realize innovation in the review of advanced reactor and small modular reactor technology concepts.

"Today's signing of this memorandum further shapes our commitment to open and transformative thinking with our Canadian partners, enhancing our willingness to work together on matters of advanced nuclear power safety developments while increasing regulatory effectiveness," said NRC Chairman Kristine L. Svinicki. "Advanced technologies are emerging at a rapid pace, demanding that regulators keep in step with modernization initiatives and the technologies of the future."

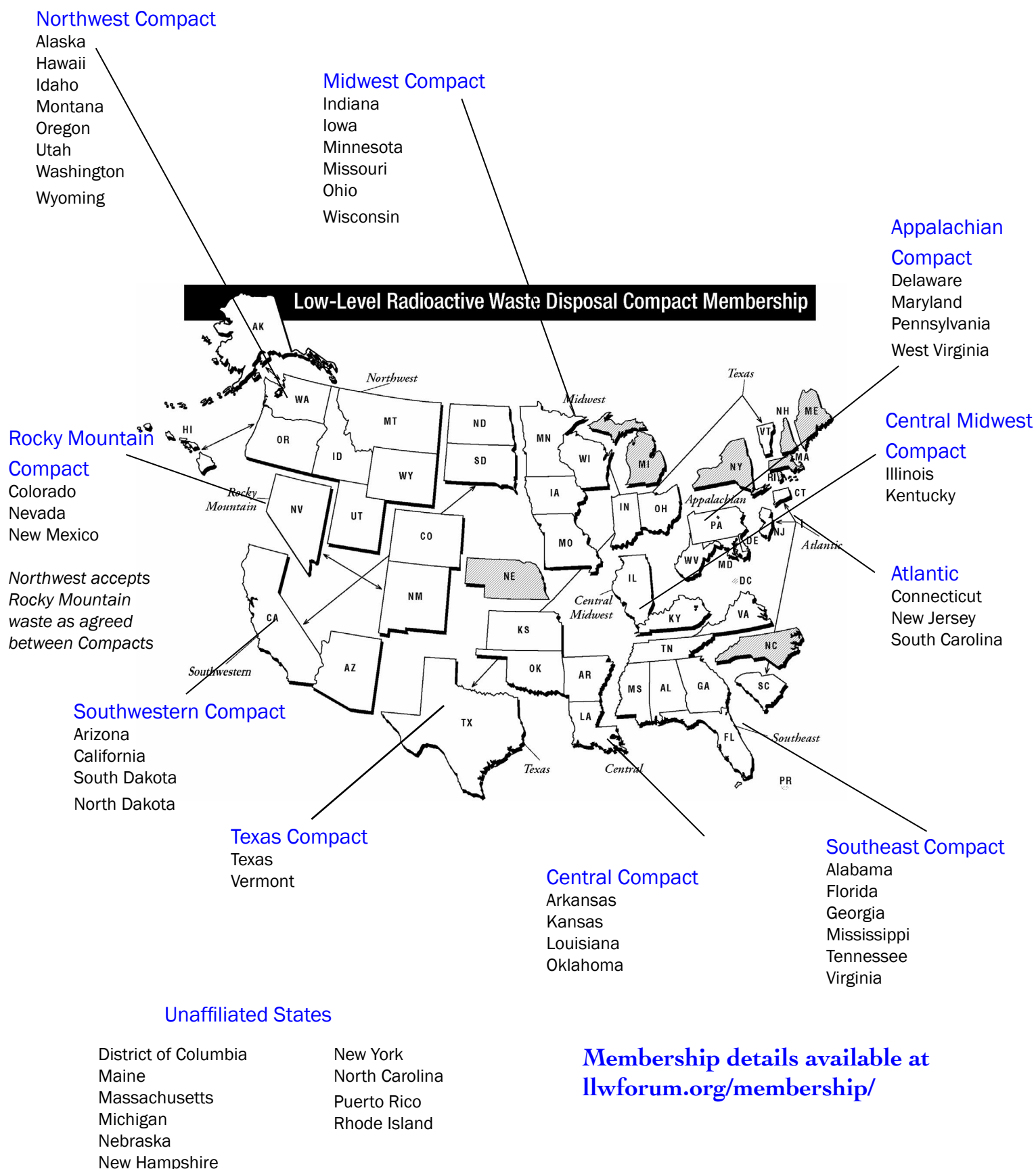
"Globally, interest and advances in small modular and advanced reactors are growing rapidly. The CNSC and the U.S. NRC are working together as regulatory leaders to ensure the development and deployment of these innovative technologies are done safely and efficiently," said CNSC

President and Chief Executive Officer Rumina Velshi. "The signing of this memorandum further strengthens our long-standing history of collaboration with our U.S. counterparts and ensures the effectiveness and efficiency of our regulatory oversight for the future."

The MOC is the first of its kind between the U.S. and Canadian regulators on matters involving nuclear power development. Svinicki and Velshi announced in June that the two agencies would begin exploring enhanced bilateral cooperation through joint regulatory reviews of developing nuclear technologies, to include advanced reactors and small modular reactors.

According to the MOC, both the NRC and CNSC will work under the previously established steering committee to immediately begin developing the infrastructure needed to share and evaluate cooperative opportunities and best practices in the analysis of advanced reactor and small modular reactor designs. The MOC underscores the readiness of the U.S. NRC and CNSC to increase collaboration and facilitate joint technical reviews of advanced reactor and small modular reactor designs to ensure safety and support each agency's regulatory decisions.

NRC News Release No: 19-037 August 15, 2019
Contact: Office of Public Affairs, 301-415-8200



Information Resources

- DOE Public Affairs/Press Office - 202/586-5806
- DOE Distribution Center - 202/586-9642
- EPA (for program information, publications, laws and regulations) www.epa.gov
- EPA Information Resources Center - 202/260-5922
- 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) list-server@unixmail.rtpnc.epa.gov
- Government Accounting Office (GAO) Document Room - 202/512-6000
- Government Printing Office (to order entire *Federal Register* notices) - 202/ 512-1800
- Legislative Resource Center (to order U.S. House of Representatives documents)- 202/226-5200
- NRC Public Document Room - 202/ 634-3273
- NRC Reference Library (NRC regulations, technical reports, information digests, and regulatory guides) www.nrc.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) <http://www.access.gpo.gov>
- U.S. Senate Document Room - 202/224-7860
- Variety of documents through numerous links at LLW Forum, Inc. at www.llwforum.org

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