

# LLW *notes*

Volume 35 Number 3 May/June 2020

A Message from Dan Shrum, Executive Director

# STAY SAFE!

Save the date....

**LLW Forum  
Fall Meeting**

San Antonio, Texas  
La Quinta Riverwalk  
Hotel  
October 13 - 15, 2020

Please submit  
comments, sugges-  
tions or articles for the  
LLW *notes* to margaret-  
llwf@gmail.com

*In this Issue...* Find news about Texas contingency plans, NRC Commission-  
ers sworn in, spent fuel storage, risk based topics, nuclear security, NRC fee changes  
and a call for nominations for the Hodes Lecture Award, along with compact and re-  
gional news.

## About LLW Forum

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
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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## Disused Sources Working Group

**Disused Sources Working Group Update - June 2020**

by Michael Klebe

The Low-Level Waste Forum's Disused Sources Working Group (DSWG) was not able to meet this spring due to the cancellation of the LLW Forum and DSWG meetings.

One of the agenda items from the cancelled meeting was a discussion of the disposal of radioactive sealed sources and the current waste classification system guidance documents. The U.S. Nuclear Regulatory Commission has published several guidance documents over the years dealing with low-level radioactive waste classification. These include:

- 1983 Technical Position Papers on waste classification and waste form;
- 1995 Branch Technical Position (BTP) on Concentration Averaging and Encapsulation; and
- 2015 Concentration Averaging and Encapsulation Branch Technical Position, Revision 1.

To better facilitate the discussion for the DSWG, a study has begun on the impact of the 2015 BTP with the focus on whether this revision has impacted the disposal of sealed sources. The study will focus on the changes in the guidance, and the resultant implementation. LLRW disposal facility operators and waste brokers will be surveyed to gain an understanding of industry acceptance and usage.

Based on the outcome of the study, the DSWG will consider whether additional educational material, such as an implementation guidance document specific to the disposal of sealed radioactive sealed sources or awareness training, should be developed.

The DSWG looks forward to meeting this fall associated with the LLW Forum meeting in October. Any questions pertaining to the work of the DSWG may be directed to the DSWG support contractor, Michael Klebe, at 217-622-8807 or michael@michaelklebe.com.



DSWG

## Appalachian Compact

Delaware • Maryland •  
Pennsylvania • West Virginia

### NRC Schedules Webinar to Discuss 2019 Safety Performance at Pennsylvania and Maryland Nuclear Power Plants

The Nuclear Regulatory Commission staff will hold a public webinar on June 18 to discuss the agency's annual assessment of safety performance at nuclear power plants in Pennsylvania and Maryland. Beaver Valley 1 & 2, in Shippingport, Pa., are operated by Energy Harbor Nuclear; and Susquehanna 1 & 2, in Salem Township, Pa., are operated by Talen Energy. Limerick 1 & 2, in Limerick, Pa.; Peach Bottom 2 & 3, in Delta, Pa.; and Calvert Cliffs 1 and 2, in Lusby, Md., are operated by Exelon Nuclear.

The purpose of the webinar is to provide information regarding the plants' safety performance in 2019 and the NRC's oversight activities at the facilities. Beaver Valley, Calvert Cliffs, Limerick, Peach Bottom and Susquehanna operated safely in 2019, with the inspection findings and performance indicators for each unit assessed as green, or of very low safety significance, at the end of the year. As a result, each plant in 2020 will receive the normal level of oversight, which entails thousands of hours of inspection each year.

Source: NRC News Release No: I-20-008, May 27, 2020

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

## Atlantic Compact

Connecticut •  
New Jersey • South Carolina

### Meeting

Contributed by Max Batavia

The Atlantic Compact Commission held the spring meeting on June 2 via video conference. The meeting agenda is posted on the Compact website. The draft

minutes will be available in July. Updates were provided from Chem Nuclear, South Carolina Department of Health and Environmental Control (DHEC), Office of Regulatory Staff (ORS); and the Nuclear Utilities Group. Also the Commission approved the budget for FY 20-21.

Please email at [max@atlanticcompact.org](mailto:max@atlanticcompact.org) for more information.

### NRC to Hold Virtual Meeting to Discuss 2019 Performance of Salem and Hope Creek Nuclear Power Plants

Nuclear Regulatory Commission staff will discuss the 2019 safety performance of the Salem Units 1 and 2 and Hope Creek nuclear power plants during a virtual meeting scheduled for June 10.

Salem Units 1 and 2, and Hope Creek are located in Lower Alloways Creek Township, N.J., and operated by PSEG Nuclear LLC. Salem and Hope Creek operated safely during 2019. At the conclusion of 2019, all inspection findings and performance indicators for the plants were green, or of very low safety significance. As a result, the plants will receive the normal level of oversight in 2020, which entails thousands of hours of inspection each year.

Source: NRC News Release No: I-20-006 May 21, 2020

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

### NRC Schedules Virtual Meeting to Discuss 2019 Safety Performance of Robinson Nuclear Power Plant

Nuclear Regulatory Commission staff will discuss the 2019 safety performance of the Robinson nuclear power plant during a virtual meeting scheduled for May 13. The Robinson plant is in South Carolina and operated by Duke Energy.

The NRC determined that the Robinson plant op-

erated safely during 2019 and is currently under the NRC's normal level of oversight.

Source: NRC News Release No: II-20-012 May 4, 2020

Contact: Roger Hannah, 404-997-4417

### **NRC to Prepare an Environmental Impact Statement for Westinghouse Fuel Fabrication Facility License Renewal**

The Nuclear Regulatory Commission will prepare an Environmental Impact Statement regarding the Westinghouse application to renew its NRC license for its Columbia Fuel Fabrication Facility in South Carolina. The plant produces nuclear fuel assemblies for use in commercial nuclear power reactors.

On Oct. 28, 2019, the NRC published for public comment a draft Environmental Assessment related to Westinghouse's request to renew the facility's operating license for an additional 40 years. This type of assessment can result in a finding of no significant impact or a determination to prepare an EIS. In March 2020, the NRC received new data collected by Westinghouse during ongoing site investigations. Based on the NRC's independent evaluation of the new data as part of the EA process, the NRC decided it could no longer conclude that renewal of the license would result in a finding of no significant impact. As a result, the NRC will proceed with an EIS. The NRC will initiate the EIS process by publishing in the Federal Register a notice of intent to prepare an EIS.

Source: NRC News Release No: 20-030 June 5, 2020

Contact: David McIntyre, 301-415-0532

### **Central Compact**

Arkansas • Kansas • Louisiana • Oklahoma

### **NRC Begins Special Inspection at River Bend Nuclear Power Plant**

The Nuclear Regulatory Commission has begun a special inspection at the River Bend nuclear power plant to review circumstances related to the failure of five portable emergency diesel generators during testing. The plant, operated by Entergy Operations, is located in St. Francisville, La. The generators are used to supply power to plant systems in the event of a prolonged loss of off-site electrical power coupled with a failure of the permanently installed emergency generators. These portable generators were acquired as part of the facility's safety enhancements mandated by the NRC following the 2011 accident at the Fukushima Dai-ichi facility in Japan.

Source: NRC News Release No: IV-20-006 May 18, 2020

Contact: Victor Dricks, 817-200-1128

### **Central Midwest Compact**

Illinois • Kentucky

#### **Meeting**

Contributed by Lori Beagles

The Central Midwest Compact Commission (CMCC) held their Spring Meeting via ZOOM on May 12, 2020. The meeting was originally scheduled for April 7, 2020 but was delayed due to COVID-19 response and travel restrictions. Chairman McCandless called the meeting to order at 10:00 am CDT. Chairman McCandless introduced our recently appointed Kentucky Commissioner, Dr. Hugh Henry. Dr. Henry replaced long time KY Commissioner Dewey Crawford. Dr. Henry has a Ph.D. in Physics and serves as a part-time lecturer at Northern Kentucky

University.

The agenda included a number of CMCC polices that were reviewed along with the Regional Management Plan. Current issues in LLRW management were covered along with a discussion on Very Low-Level Waste.

The CMCC Annual Meeting is tentatively scheduled for September 22, 2020 (hopefully in person), in Springfield, IL.

### Midwest Compact

Indiana • Iowa • Minnesota • Missouri • Ohio • Wisconsin

#### Meetings

The Midwest Interstate Low-Level Radioactive Waste Compact Commission held its annual meeting by telephone conference call on Thursday, June 11, 2020. The proposed agenda included:

1. Call to order; roll call
2. Review of minutes of June 7, 2019, meeting
3. Review of financial report
4. Chair's report
5. Election of officers
6. Executive Director's report
7. Consultant expenses projected for FY 2021
  - Legal counsel fees
  - Audit proposal
  - Website and annual report fees
  - LLW Forum membership
8. Adoption of FY 2021 budget
9. Other business

### Northwest Compact

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

#### Meetings

The State of Utah, Waste Management and Radiation Control board held a telephonic meeting May 14,

2020. The Agenda and Board packet information for the Waste Management and Radiation Control Board Meeting is available for your review at:

<https://deq.utah.gov/boards/waste-management-and-radiation-control-board-meetings>

The Agenda and Board packet information has also been posted on the Utah Public Notice website at:

<https://www.utah.gov/pmn/index.html>

The June 11, 2020 Utah Waste Management and Radiation Control Board meeting has been cancelled. The next meeting is scheduled for July 9, 2020 at 1:30 pm.

### Rocky Mountain Compact

Colorado • Nevada • New Mexico

#### Meetings

The Regular Meeting and Annual Meeting will be held on Tuesday, June 30, 2020.

The Regular Meeting agenda includes Election of Officers and Consideration of Fiscal Year 2020-2021 Budget. The Regular Meeting will begin at 9:00 a.m.

The Annual Meeting will begin immediately following the Regular Meeting. Interested parties and the public are welcome to attend, and there will be an opportunity for public comment at the meeting. See [http://www.rmlwb.us/Meetings/2020\\_Notice.Agenda.Regular.pdf](http://www.rmlwb.us/Meetings/2020_Notice.Agenda.Regular.pdf)

For further information, contact Leonard Slosky, Executive Director of the Board, at

[Islosky@rmlwb.us](mailto:Islosky@rmlwb.us) or (303) 825-1912.

### Southeast Compact

Alabama • Florida • Georgia •  
Mississippi • Tennessee • Virginia

## NRC Schedules Virtual Meeting to Discuss 2019 Safety Performance of St. Lucie and Turkey Point Nuclear Power Plants

Nuclear Regulatory Commission staff will discuss the 2019 safety performance of the St. Lucie and Turkey Point nuclear power plants during a virtual meeting scheduled for May 19. The two-unit St. Lucie and Turkey Point plants are in Florida with both plants operated by Florida Power & Light Co.

The NRC determined that the St. Lucie and Turkey Point plants operated safely during 2019 and both plants are currently under the NRC's normal level of oversight.

Source: NRC News Release No: II-20-014 May 7, 2020

Contact: Roger Hannah, 404-997-4417

## NRC Schedules Virtual Meeting to Discuss 2019 Safety Performance of Vogtle Nuclear Power Plant Operating Units and Units Under Construction

Nuclear Regulatory Commission staff will discuss the 2019 safety performance of the two operating units at the Vogtle nuclear power plant as well as the two units under construction at the site during a virtual meeting scheduled for May 20.

The Vogtle plant is located in east Georgia near Augusta and is operated by the Southern Nuclear Operating Co. The two operating units began operation in 1987 and 1989, and the two units under construction received combined operating licenses in 2012.

The annual assessment letters for the St. Lucie plant and the Turkey Point plant, which include upcoming inspection plans for the plants, are available on the NRC website. Current performance information for

St. Lucie Unit 1, St. Lucie Unit 2, Turkey Point Unit 3, and Turkey Point Unit 4 is also available and is updated on a quarterly basis.

The NRC determined that the Vogtle operating units operated safely during 2019, but in March 2020, the NRC issued the final significance determination of a white finding and notice of violation involving a failure to adequately calibrate some containment radiation monitors. The failure would have resulted in overly conservative emergency declarations during certain accident scenarios. The NRC staff determined that Vogtle Units 1 and 2 are under increased oversight (retroactive to the third quarter of 2019) and will remain under increased oversight until the NRC completes a supplemental inspection to provide assurance that corrective actions address the causes and prevent recurrence. That inspection has not yet been scheduled.

The NRC found that Vogtle Units 3 and 4 are being built in a safe manner, and those units will remain under the NRC's normal level of oversight for plants under construction.

Source: NRC News Release No: II-20-015 May 12, 2020

Contact: Roger Hannah, 404-997-4417

## NRC Atomic Safety and Licensing Board to Hold Oral Argument on Vogtle 3 New Reactor License Amendment

A Nuclear Regulatory Commission Atomic Safety and Licensing Board will conduct an oral argument via teleconference on July 1, 2020, regarding a petition to hold an adjudicatory hearing concerning the Southern Nuclear Operating Company application to amend the combined license for the under-construction Vogtle Unit 3 reactor near Waynesboro, Ga. The Robinson plant is in South Carolina and operated by Duke Energy. The session will be held from 3-3:45 p.m., Eastern Time, with NRC employees responsible for plant inspections participating, including the resident inspectors based at the site. The meeting will be accessible via Skype. For individuals without access to Skype, the telephone conference number is 301-415-

0333, passcode 3083427#.

The NRC determined that the Robinson plant operated safely during 2019 and is currently under the NRC's normal level of oversight.

Source: NRC News Release No: 20-034 June 18, 2020

Contact: Scott Burnell, 301-415-8200

## NRC Schedules Virtual Meeting to Discuss 2019 Safety Performance of Catawba, McGuire and Oconee Nuclear Power Plants

Nuclear Regulatory Commission staff will discuss the 2019 safety performance of the Catawba, McGuire, and Oconee nuclear power plants during a virtual meeting scheduled for May 18. The two-unit Catawba and three-unit Oconee plants are located in South Carolina and the two-unit McGuire plant is located in North Carolina. The three plants are operated by Duke Energy. The NRC determined that the Catawba, McGuire, and Oconee power plants operated safely during 2019 and all three plants are currently under the NRC's normal level of oversight.

Source: NRC News Release No: II-20-013 May 6, 2020

Contact: Roger Hannah, 404-997-4417

### Southwestern Compact

Arizona • California • South Dakota • North Dakota

## Meetings and Other News

Contributed by Kathy Davis

It looks like we will do a conference call for the Fall meeting. Disposal Reports are due for petitions issued for 2019 and any other petitions that have been submitted in the past as an interim report and are required to submit an update either indicating disposal or still waiting for a COD.

In the fall I will be ready to send out a notice announcing a search for a new Executive Director for

the Southwest Compact as I wish to retire. I will probably have information on basic requirements and process. Anyone interested in this position must live in California to meet the requirement of the Southwest Compact Law.

We are still having petitions submitted for both Energy Solutions and WCS for LLW disposal.

For more information, contact [kathydavis@swllrwcc.org](mailto:kathydavis@swllrwcc.org)

### Texas Compact

Texas • Vermont

## Meetings

May 7, 2020

July 9, 2020

August 27, 2020

### May 7 Meeting

May 7 Agenda link <https://www.tllrwdcc.org/wp-content/uploads/2020/04/TLLRWDC-AGENDA-May-7-2020-FINAL.pdf>

Webinar link <https://www.youtube.com/watch?v=IL-r4rNJHmTM&feature=youtu.be>

May 7 agenda included:

Import and export applications

Fiscal matters

Appointment of a Capacity Committee

Report on Communications with other Compacts

Committee to formulate a comment letter to NRC on its proposed interpretation of its low-level radioactive waste disposal regulations that would permit licensees to dispose of waste by transfer to persons who hold specific exemptions for the purpose of disposal

Discussion and possible action regarding the contingency plan described in Section 3.04 of the Texas Low-Level Radioactive Waste Disposal Compact

Discussion and possible action related to personnel matters, including the extension of contract term for contract employee Andrew Tachovsky



### Thursday, July 9, 2020 Meeting

The next meeting of the Texas Low-Level Radioactive Waste Disposal Compact Commission is Thursday July 9, 2020 at 9:00 CDT. Due to social distancing recommendations associated with the COVID-19 virus, the TLLRWDC is conducting the July 9, 2020 meeting by webinar. Please register for the webinar using the following URL:

[https://clicks.aweber.com/y/ct/?l=KAge2&m=3hU-WaT\\_dJ3hYuMv&b=yIsY61OV5vOBIogjjYLLQQ](https://clicks.aweber.com/y/ct/?l=KAge2&m=3hU-WaT_dJ3hYuMv&b=yIsY61OV5vOBIogjjYLLQQ)

An agenda will be posted to the TLLRWDC website <http://www.tllrwdcc.org/about-the-comission/public-meetings/>

### The August 27, 2020, Meeting is tentatively set.

For information, contact [administration@tllrwdcc.org](mailto:administration@tllrwdcc.org)

### TLLRWDC Contingency Plan

The Texas Low-Level Radioactive Waste Disposal Compact Commission at its March 12, 2020, meeting voted to create a Contingency Committee to prepare a report to the full Commission to meet certain statutory mandates. Texas Health & Safety Code § 403.006 and analogous provisions in federal and Vermont statutes provide that the Commission must:

Sec. 3.04(7) Prepare, adopt, and implement contingency plans for the disposal and management of low-level radioactive waste in the event that the compact facility should be closed. Any plan which requires the host state to store or otherwise manage the low-level radioactive waste from all the party states must be approved by at least four host state members of the commission. The commission, in a contingency plan or otherwise, may not require a nonhost party state to store low-level radioactive waste generated

Note: In the States and Compact Section, NRC news releases may be abbreviated. Access the complete news release at the NRC website [www.nrc.gov/reading-rm/doc-collections/news/](http://www.nrc.gov/reading-rm/doc-collections/news/)

outside of the state. The TLLRWDC Contingency Committee accepted public comments related to the preparation of a Contingency Plan under the Texas Health & Safety Code § 403.006, Article III, Section 3.04(7) up until June 1, 2020 at 5 p.m. Information may be found at: <http://www.tllrwdcc.org/wp-content/uploads/2020/05/TLLRWDC-Contingency-Committee-Request-for-Public-Comment.pdf>

### TCEQ Recommends Adoption of Section 336.1310 of Amendment of 30 TAC Chapter 336, Radioactive Substance Rules

The Texas Commission on Environmental Quality proposed amendment of 30 TAC Chapter 336, Radioactive Substance Rules Rate Adjustment. The comment period closed on June 9, 2020. The commission received no comments regarding this rulemaking. Staff has requested the item be on the July 1, 2020, agenda for adoption. Contact: Andreea Vasile, Rule/Agenda Coordinator, (512) 239-1806 - Caption: Docket No. 2019-1580-RUL. Consideration for the adoption of amended Section 336.1310 of 30 TAC Chapter 336, Radioactive Substance Rules.

### NRC to Hold Virtual Meeting to Discuss 2019 Performance of 12 Region IV Nuclear Power Plants

NRC staff will discuss the 2019 safety performance of 12 nuclear power plants in the western U.S. during a virtual meeting to be held June 30. Arkansas Nuclear One, in Russellville, Ark., Callaway, near Fulton, Mo., Comanche Peak in Glen Rose, Texas, Cooper Nuclear Station in Brownville, Neb., Columbia Generating Station, near Richland, Wash., Diablo Canyon in San Luis Obispo, Calif., Grand Gulf, in Port Gibson, Miss., Palo Verde, in Wintersburg, Ariz., River Bend, in St. Francisville, La., South Texas Project, in Bay City, Texas, Waterford, in Killona, La., and Wolf Creek, near Burlington, Kan., all operated safely during 2019.

Source: NRC News Release No: IV-20-007 May 22, 2020

Contact: Victor Dricks, 817-200-1128

**SEC Calls for Nominations for Richard S. Hodes, M.D. Honor Lecture Award****2021 Richard S. Hodes, M.D. Honor Lecture Award Nominations Sought**

Deadline: [August 31, 2020](#)

As a reminder, the Southeast Compact Commission for Low-Level Radioactive Waste Management is accepting nominations for the 2021 Richard S. Hodes, M.D. Honor Lecture Award – a program that recognizes an individual, company, or organization that contributed in a significant way to improving the technology, policy, or practices of low-level radioactive waste management in the United States. The award recipient will present the innovation being recognized at a lecture during the Waste Management '21 Symposium in Phoenix, Arizona. The award recipient will receive a \$5,000 honorarium and all travel expenses will be paid.

### Background

Dr. Richard S. Hodes was a distinguished statesman and a lifetime scholar. He was one of the negotiators of the Southeast Compact law, in itself an innovative approach to public policy in waste management. He then served as the chair of the Southeast Compact Commission for Low-Level Radioactive Waste Management from its inception in 1983 until his death in 2002.

Throughout his career, Dr. Hodes developed and supported innovation in medicine, law, public policy, and technology. The Richard S. Hodes, M.D. Honor Lecture Award was established in 2003 to honor the memory of Dr. Hodes and his achievements in the field of low-level radioactive waste management.

### The Award

The Richard S. Hodes Honor Lecture Award – established in March, 2003 – is awarded to an individual, company, or organization that contributed in a significant way to improving the technology, policy, or practices of low-level radioactive waste management in the United States.

The award recipient will be recognized with a special plaque and an invitation to present a lecture about the innovation during the annual international Waste Management Symposium (WM '21). The 2021 symposium is sponsored by the University of Arizona and will be held in Phoenix, Arizona in the spring of 2021.

A special time is reserved during the Symposium for the lecture and the award presentation. The Southeast Compact Commission will provide the award recipient a \$5,000 honorarium and will pay travel expenses and per diem (in accordance with Commission Travel Policies) for an individual to present the lecture.

### Criteria

The Richard S. Hodes Honor Lecture Award recognizes innovation industry-wide. The award is not limited to any specific endeavor – contributions may be from any type of work with radioactive materials (nuclear energy, biomedical, research, etc.), or in any facet of that work, such as planning, production, maintenance, administration, or research. The types of innovations to be considered include, but are not limited to:

- conception and development of new approaches or practices in the prevention, management, and regu-

## SEC Calls for Nominations for Richard S. Hodes, M.D. Honor Lecture Award

- lation of radioactive waste;
- new technologies or practices in the art and science of waste management; and,
  - new educational approaches in the field of waste management.

The criteria for selection include:

1. Innovation. Is the improvement unique? Is it a fresh approach to a standard problem? Is it a visionary approach to an anticipated problem?
2. Safety. Does the practice enhance radiation protection?
3. Economics. Does the approach produce significant cost savings to government, industry or the public?
4. Transferability. Is this new practice applicable in other settings and can it be replicated? Does it increase the body of technical knowledge across the industry?

### Eligibility

To be eligible for the award, the individual/group must consent to being nominated and must be willing to prepare and present a lecture about the innovation being recognized at the Waste Management Symposium. Individuals or organizations can nominate themselves or another individual, company, institution, or organization.

### Nominations-Deadline August 31, 2020

To nominate yourself or another individual, company, or organization for this distinguished award, please contact:

Awards Committee  
c/o Ted Buckner  
Executive Director  
Southeast Compact Commission  
Post Office Box 5427  
Cary, NC 27512  
(919) 380-7780  
(919) 380-7710 - FAX  
tedb@secompact.org  
<http://www.secompact.org/>

### Past Recipients

- W.H. "Bud" Arrowsmith (2004);
- Texas A & M University Student Chapter of Advocates for Responsible Disposal in Texas (2004 honorable mention);
- William Dornsife (2005);
- California Radioactive Materials Management Forum (2006);
- Larry McNamara (2007);
- Michael Ryan (2008);
- Susan Jablonski (2009);
- Larry Camper (2010);
- Christine Gelles (2011);
- Lawrence "Rick" Jacobi (2012);
- James Kennedy (2013);
- EnergySolutions, the Utah Department of Environmental Quality (DEQ), the Conference of Radiation Control Program Directors (CRCPD), and the U.S. Department of Energy's (DOE) Global Threat Reduction Initiative (2013 honorable mention);
- Electric Power Research Institute (2014);
- Division of Radiation Control of the Utah DEQ and EnergySolutions (2015);
- Louis Centofanti (2016);
- Scott Kirk (2017);
- National Nuclear Security Administration (NNSA) and the Off-Site Source Recovery Program (OSRP) (2018);
- Clint Miller of Pacific Gas & Electric (2019); and
- Savannah River Remediation LLC (2020).

USNRC Commissioners and Inspector General

**Christopher T. Hanson Sworn in as NRC Commissioner**

Christopher T. Hanson was sworn in today by NRC Chairman Kristine L. Svinicki as the fifth NRC Commissioner. Hanson was nominated by President Donald J. Trump and confirmed by the U.S. Senate to serve the remainder of a five-year term expiring June 30, 2024. Hanson will begin serving his term immediately. Hanson has more than two decades of government and private sector experience in the fields of nuclear energy. Prior to joining the NRC, he served as a staff member on the Senate Appropriations Committee. Before working in the Senate, Hanson served as a senior advisor in the Department of Energy's Office of Nuclear Energy. He also served as a consultant at Booz Allen Hamilton, where he led multiple engagements for government and industry.

Hanson earned master's degrees from Yale Divinity School and Yale School of Forestry and Environmental Studies, where he focused on ethics and natural resource economics. He earned a Bachelor of Arts degree in Religious Studies from Valparaiso University in Valparaiso, Ind. The NRC is comprised of five Commissioners, one of whom is designated by the President as Chairman. The Commission was established to be a collegial body that formulates policies, develops regulations, issues orders to licensees and ad-

judicates legal matters. The Commissioners serve five-year terms, with one term expiring every year on June 30. No more than three Commissioners may be of the same political party.

Source: NRC News Release No: 20-030 June 8, 2020  
 Contact: Office of Public Affairs, 301-415-8200

**NRC Commissioner Wright Sworn in for Second Term**

David A. Wright, nominated by President Donald J. Trump and confirmed by the U.S. Senate, was sworn in today as an NRC Commissioner by Chairman Kristine L. Svinicki for a second term. Wright's second term as Commissioner will begin July 1, 2020, and will end on June 30, 2025. Wright previously served as Owner/President of Wright Directions, LLC, a strategic energy and water consulting and communications business. He also served as a member and Chairman of the South Carolina Public Service Commission from 2004-2013. He was elected and served as President of the National Association of Regulatory Utility Commissioners from 2011-2012. Additionally, he has served as a council member and mayor of Irmo, S.C., and as a member of the South Carolina House of Representatives. A colon cancer survivor, Wright is an advocate for cancer awareness and education. He received a bachelor's degree in

political science from Clemson University.

Source: NRC News Release No: 20-032 June 8, 2020  
 Contact: Office of Public Affairs, 301-415-8200  
 No: 20-029 May 27, 2020

**Robert J. Feitel Sworn in Today as New NRC Inspector General**

Robert J. Feitel was sworn in today by Nuclear Regulatory-Commission Chairman Kristine L. Svinicki as the agency's new Inspector General. Feitel most recently served as a trial attorney and advisor to the Attorney General in the Capital Case Section at the Department of Justice. Prior to that position, he served as an Assistant U.S. Attorney for the District of Columbia and Special Assistant U.S. Attorney for the U.S. Attorney's Office, Eastern District of Virginia. He also held important detail assignments to the President's Executive Order Task Force for the Review of Guantanamo Bay Detainees and the National Security Division's Office of Intelligence, Counter-Terrorism Unit.

Feitel earned a Bachelor of Arts degree in English Literature from the University of Michigan and a Juris Doctor degree from the University of Maryland School of Law.

Contact: Office of the Inspector General, 301-415-0532  
 Issued May 27, 2020

## Risk Based Topics

**NRC Agencywide Transformation Performance Measures Paper**

The purpose of this paper is to provide the response to Staff Requirements Memorandum (SRM) M191029, dated November 20, 2019, wherein the Commission directed the staff to provide it with information on transformation-related performance measures. The paper does not address any new commitments or resource implications but provides detail and history.

Source: SECY-20-0049

Policy Issue Information

May 29, 2020

<https://www.nrc.gov/docs/ML2014/ML20149K586.pdf>

**Risk Informed Decision Making Training**

Offered by NRC on-line  
*Guidance on the Treatment of  
Uncertainties Associated with  
PRA's in Risk-Informed Decision  
Making (NUREG-1855)*

<https://www.nrc.gov/reading-rm/training/nureg-1855/>

**Staff-Hosted Public Meeting Regarding the Incorporation of Risk Insights Into Evaluations for 10 CFR 50.59, "Changes, Tests, and Experiments"**

On June 4, 2020, the NRC staff conducted a public meeting with the Nuclear Energy Institute (NEI) and other industry representatives to discuss opportunities to incorporate risk insights into Title 10 of the Code of Federal Regulations (10 CFR) 50.59 evaluations (Agencywide Documents Access and Management System (ADAMS) Accession No. ML20156A189). NEI's presentation included an engagement strategy with the NRC staff, a proposed schedule, and three focus areas where NEI wishes to engage with the NRC staff. NRC staff anticipates having the next public meeting regarding this topic in July.

Source: Office of Nuclear Reactor Regulation (NRR)

Items of Interest - Week Ending June 5, 2020

<https://www.nrc.gov/docs/ML2016/ML20164A200.pdf>

## Spent Fuel Storage and Management

## NRC Seeks Public Comment on Draft Environmental Report for Proposed Spent Fuel Storage Facility in Texas

The Nuclear Regulatory Commission is seeking public comment on its draft Environmental Impact Statement for Interim Storage Partners' (ISP) application for a license to construct and operate a consolidated spent nuclear fuel storage facility in Andrews County, Texas. After considering the environmental impacts of the proposed action, the NRC staff's preliminary recommendation is issuance of an NRC license.

In consideration of the COVID-19 public health emergency, NRC staff is providing an extended period for the public to submit comments on the draft EIS. Details on how to submit comments in writing will soon be published in the *Federal Register*. Publication of that notice will begin the extended public comment period, which will run for 120 days. The NRC staff plans to hold a webinar and several public meetings in the vicinity of Andrews County during the comment period to present the staff's preliminary findings and receive comments. As the COVID-19 public health emergency evolves, the NRC staff will continue to re-evaluate its plans for engaging the public. Further information on the meetings will be included in a separate Federal Register notice and on the NRC's Public Meetings webpage. ISP has requested a license to store approximately 5,000 metric tons of spent nuclear fuel at the proposed site. Future expansion phases, if later approved by the NRC, would allow the storage of up to 40,000 metric tons. The storage canisters would be transported to the site by rail from operating, decommissioning, and decommissioned commercial nuclear power plants around the country.

The NRC draft EIS assesses the environmental impacts of the entire project, including construction, operation, transportation, and decommissioning. During development of the draft EIS, staff looked at the impacts to land use, geology and soils, surface waters and wetlands, groundwater, ecological resources, historic and cultural resources, environmental justice and several other areas. A short "reader's guide" summarizing the report is also available. NRC staff will review the public comments and prepare the final EIS in a document scheduled to be published in May 2021. The NRC staff also plans to complete a parallel safety review of the ISP application and publish a Safety Evaluation Report in May 2021. A decision on whether to grant ISP a license would follow thereafter.

Source: NRC News Release No: 20-025 May 6, 2020

Contact: David McIntyre, 301-415-8200

## NRC Letter May 15, 2020 to Governor of New Mexico

... I am responding to your April 17, 2020, letter requesting that the NRC extend the public comment period on the draft Environmental Impact Statement (EIS) for Holtec International's proposed consolidated interim storage facility in Southeast New Mexico until the COVID-19 pandemic threat has passed and public meetings can be held. You also asked that public meetings, once resumed, be held at locations across New Mexico. The 60-day comment period on the draft EIS was scheduled to close on May 22, 2020. ...NRC staff has extended the public comment period for an additional 60 days until July 22, 2020. A notice of this extension was published in the Federal Register on April 27, 2020. The NRC staff plans to hold a nationwide webinar and five public meetings in New Mexico during the public comment period to present the staff's preliminary findings and receive public comments. ... the NRC staff will continue to re-evaluate these plans for engaging the public, and will consider whether additional extensions to the comment period are warranted.

Kristine L. Svinicki

**Spent Fuel Storage and Management****Office of Nuclear Energy Publishes  
“5 Common Myths About Transporting Spent Nuclear Fuel”**

Published May 26, 2020

“Despite being safely transported in the United States for more than half a century, many still believe spent nuclear fuel (SNF) is too dangerous to transport. But, in reality, it’s a well-coordinated process with a great track record—and we have the facts to prove it. Here are 5 common myths about transporting spent nuclear fuel.”

[HTTPS://WWW.ENERGY.GOV/NE/ARTICLES/5-COMMON-MYTHS-ABOUT-TRANSPORTING-SPENT-NUCLEAR-FUEL](https://www.energy.gov/ne/articles/5-common-myths-about-transporting-spent-nuclear-fuel)

.....

**IAEA Publishes Proceedings from International Conference on the  
Management of Spent Fuel from Nuclear Power Reactors  
June 23, 2020**

The 2019 International Conference on the Management of Spent Fuel from Nuclear Power Reactors, proceedings now published find that “As some countries consider innovative recycling technologies to reduce the burden of radioactive waste, others need to bridge the gap between their current generation of nuclear spent fuel and its future disposal in planned underground facilities.”

Information and experiences were shared at the conference by 250 participants from 45 countries and 7 international organizations.

See <https://www.iaea.org/newscenter/news/iaea-publishes-proceedings-from-international-conference-on-the-management-of-spent-fuel-from-nuclear-power-reactors>

## Nuclear Security

### **NRC Schedules Regulatory Conference with Terracon Consultants**

The Nuclear Regulatory Commission will hold a regulatory teleconference with officials from Terracon Consultants of Olathe, Kan., on May 20 to discuss five apparent violations identified by the NRC during an inspection. The intent of the conference is to discuss the apparent violations identified in an April 1 inspection report. They include the loss from the company's truck of a portable nuclear gauge, which was later recovered by a member of the public, failure to properly control radioactive material and the failure to make timely notifications to the NRC following the loss. No decision on the final safety significance of the apparent violations or any NRC actions will be made at the meeting.

Source: NRC News Release No: IV-20-005 May 15, 2020

Contact: Victor Dricks, 817-200-1128

### **NRC Proposes \$8,500 Civil Penalty to Alt & Witzig Engineering, Inc.**

The Nuclear Regulatory Commission has proposed an \$8,500 civil penalty against Alt & Witzig Engineering Inc. for a violation associated with the control of a portable nuclear gauge. The company is based in Carmel, Ind. The Oct. 3 violation involved the licensee's failure to provide physical control of a portable nuclear gauge, which was stolen from outside the gauge operator's residence. NRC regulations require a minimum of two independent physical controls to prevent the unauthorized removal of portable gauges. The portable gauge was recovered with the licensed material intact. The NRC conducted an inspection to review the event circumstances, the procedures in place at the time, associated documentation and the immediate corrective actions that were taken. A follow-up inspection will be conducted within 12 months of this enforcement action to ensure long-term corrective actions are effective. Alt & Witzig officials responded to the violation and now have 60 days to agree to the penalty or request an appeal.

Source: NRC News Release No: III-20-003 May 13, 2020

Contact: Viktoria Mitlyng, 630-829-9662

Prema Chandrathil, 630-829-9663



## Nuclear Security

## NRC Proposes \$7,500 Fine to Puerto Rico Firm for Apparent Violation Involving Nuclear Gauges

The Nuclear Regulatory Commission has proposed a \$7,500 civil penalty for a Ponce, Puerto Rico, firm for failing to dispose of or transfer portable nuclear gauges it possesses under an NRC license and for its failure to complete the decommissioning process within the required time period. Hot Asphalt Paving, Inc. owns two portable gauges that contain small amounts of radioactive material, which are used for measuring the density of soil at construction sites. On July 24, 2014, the NRC issued an order revoking the company's license for non-payment of fees to the agency, after which Hot Asphalt was required to dispose of or transfer the gauges to another authorized party within 60 days. The company responded on Sept. 3, 2014, that it no longer intended to use the gauges and requested additional time for their disposal or transfer. The NRC, on Nov. 24, 2014, accepted the letter as notification that the company was no longer using the gauges but did not grant the request for additional time. In a follow-up inspection report issued on Dec. 18, 2019, the NRC reported that Hot Asphalt had failed to dispose of or transfer the gauges and notified the company that the matter was being considered for escalated enforcement. The company, in response, requested more time, was granted an additional 60 days until June 22, 2020, and did not act to dispose of or transfer the gauges. The NRC has proposed a \$7,500 civil penalty for the violation, which will not be imposed if the gauges are disposed of or transferred within 60 days. The NRC has verified that the gauges are properly secured at Hot Asphalt's facility to prevent unauthorized access or removal.

Source: NRC News Release No: I-20-014 June 25, 2020

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

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## NRC Identifies Nine Abnormal Occurrence Events in FY 2019 Annual Report to Congress

The Nuclear Regulatory Commission has published its annual report to Congress for fiscal year 2019 regarding Abnormal Occurrences involving the medical and industrial uses of radioactive material. Nine Abnormal Occurrences were identified, seven of which were medical events, such as misadministration of radioactive material in diagnosis or treatment of an illness. One event involved a worker exposure, and the final event was the theft and subsequent recovery of a device containing a risk-significant radioactive source. No events at commercial nuclear power plants in FY 2019 met the criteria requiring an Abnormal Occurrence declaration. U.S. law defines an Abnormal Occurrence as an unscheduled incident or event that the NRC determines to be significant from the standpoint of public health or safety. The NRC sets specific criteria, most recently updated in October 2017, for determining which events qualify. The *Report to Congress on Abnormal Occurrences, Fiscal Year 2019*, is available on the NRC website as NUREG 0090, Volume 42 at <https://www.nrc.gov/docs/ML2016/ML20162A165.pdf>

Source: NRC News Release No: 20-036 June 23, 2020

Contact: David McIntyre, 301-415-8200

## NRC Amends Licensing, Inspection and Annual Fees for FY 2020

The Nuclear Regulatory Commission is amending its regulations for the licensing, inspection, special projects, and annual fees it will charge applicants and licensees for fiscal year 2020. The FY 2020 final fee rule, published today in the *Federal Register*, includes fees required by law to recover approximately 90 percent of the agency's annual budget authority.

### Proposed Rule

A proposed rule was published for public comment on Feb. 18, 2020. For FY 2020, the NRC's required fee recovery amount, after accounting for fee-recovery exclusions, fee-relief activities, and net billing adjustments is \$728.1 million. Approximately \$220.2 million will be recovered through fees for services, and approximately \$507.9 million will be recovered through annual fees.

### Decreasing Fees

Compared to FY 2019, the FY 2020 annual fees are decreasing for fuel facilities; research and test reactors; operating power reactors; U.S. Department of Energy Uranium Mill Tailings Radiation Control Act Program; DOE transportation activities; and for materials licensees.

### Increasing Fees

Annual fees are increasing for spent fuel storage/reactor decommissioning.

### Unchanging Fees

Annual fees remain unchanged for the non-DOE uranium recovery licensee.

### Increasing Hourly Rate

The FY 2020 final fee rule also includes several other changes affecting licensees and applicants. First, the NRC has increased the hourly rate from \$278 in FY 2019 to \$279 for FY 2020. Second, the NRC has revised flat rate license application fees to reflect the new hourly rate. The NRC estimates that the FY 2020 annual fees will be paid by licensees of 95 operating commercial power reactors, four research and test reactors, 122 spent nuclear fuel storage and decommissioning reactor facilities, seven fuel cycle facilities, one uranium recovery facility, and approximately 2,500 nuclear materials licensees.

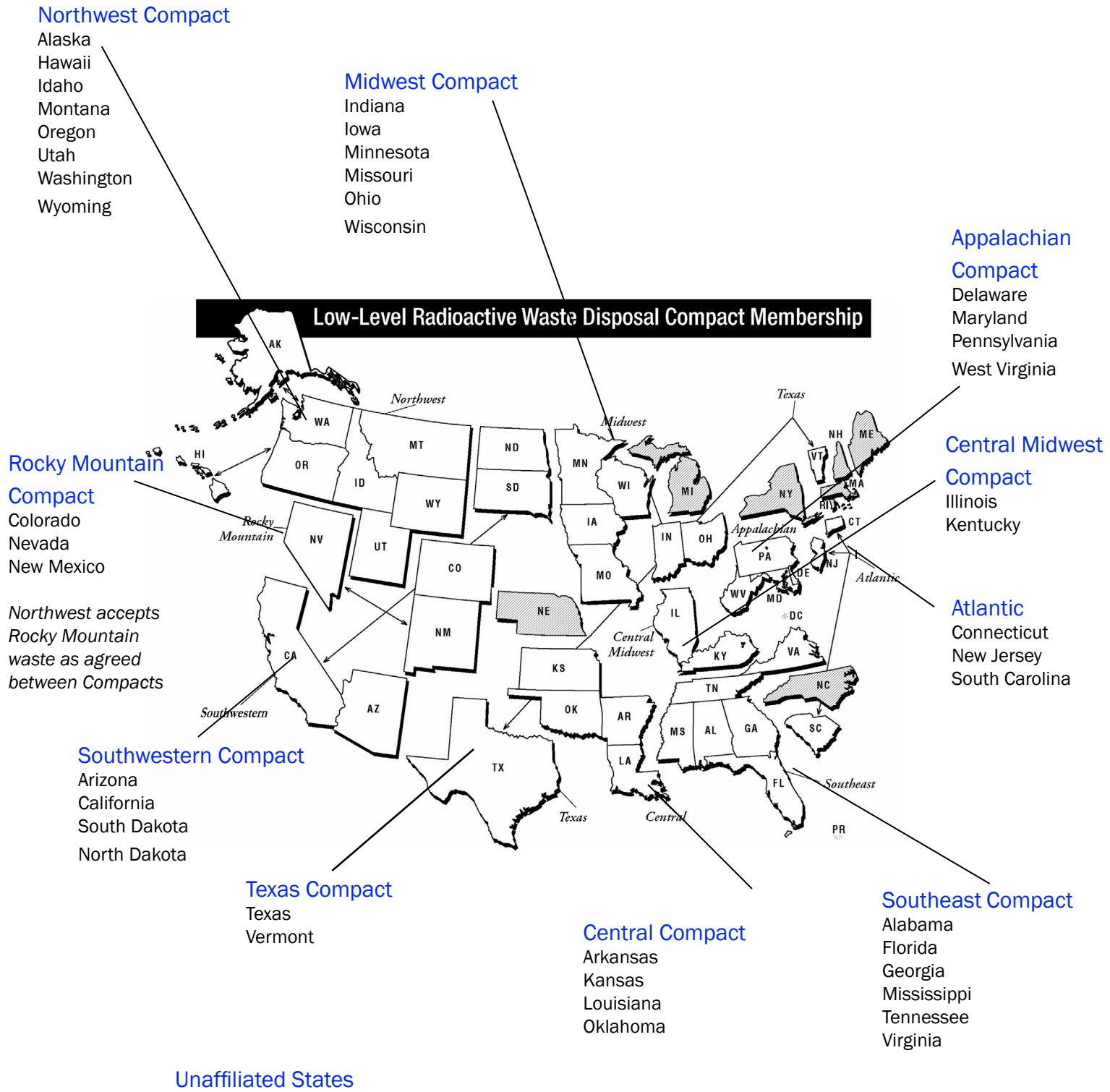
### Deferral of Billing

Additionally, the Commission has authorized a deferral of billing of annual fees and fees for services for the 90-day period of April through June 2020. This includes all annual fees that would have come due during the 90-day period and fees for services that would have been billed in April for services rendered January through March 2020. These deferred fees will be billed in July 2020. The NRC took this action to help mitigate the financial impacts and economic disruptions caused by the COVID-19 public health emergency.

Source: NRC News Release No: 20-035 June 19, 2020

Contact: David McIntyre, 301-415-8200

**Low-Level Radioactive Waste Disposal Compact Membership**



Northwest accepts Rocky Mountain waste as agreed between Compacts

Membership details available at [llwforum.org/membership/](http://llwforum.org/membership/)

### 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](http://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](mailto: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](http://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 governmentdatabases) <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](http://www.llwforum.org)

### Acknowledgment & Disclaimer

Acknowledgment: This material is based upon work supported in part by the U.S. Department of Energy under Award Numbers DE-EM0001364 and DE-em0003153.

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### Copyright Policy

The Low-Level Radioactive Waste Forum 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.

Current members are allowed to distribute these written materials to a limited number of persons within their particular organization (e.g., compact commissioners, state employees, staff within a federal agency, employees in a commercial enterprise). It has become clear, however, that there will be instances where members and subscribers wish to share LLW Forum materials with a broader audience of non-members.

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Contact: [Dshrum@llwforum.org](mailto:Dshrum@llwforum.org)