

# LLW *notes*

Volume 36 Number 4 July - August 2021

## A Message from Dan Shrum, Executive Director

One of the objectives of the Low-Level Radioactive Waste Forum is “bringing together a diverse group of stakeholders on a regular basis to promote sharing of ideas, concepts, and solutions.” We have been reasonably successful using Web-Ex to meet this objective; however, there is no substitute for meeting in person. As such, the Fall Forum meeting will move forward as planned with an abundance of safety precautions in place.

We invite you to join us in Denver on October 13-14, 2021, either in person or via Web-Ex. Please stay safe.

Daniel B. Shrum, Executive Director

Please submit comments, suggestions or articles for the LLW *notes* to [margaretlwf@gmail.com](mailto:margaretlwf@gmail.com)

*In this Issue...* Find news about the Fall Meeting, Forum Board's focus, Comments on Categorical Exclusions from Environmental Review, DSWG, NRC and DOE updates along with compact and regional 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

## Contents

A Message from Dan Shrum, Executive Director .....	1
About LLW Forum .....	2
Forum Corner .....	3
Comments on Categorical Exclusions from Environmental Review- 86 FR 24514; Docket ID NRC- 2018-0300 .....	3
Disused Sources Working Group Update .....	8
Collaboration Leads National Lab to Reuse Radioactive Source from Idaho Site.....	9
NRC Congressional Budget Justification: Fiscal Year 2022 .....	10
Department of Energy Radioactive Waste News .....	11
Spent Fuel, Decommissioning and Waste Storage.....	12
NRC Issues Final Environmental Study for Proposed Spent Nuclear Fuel Storage Facility in Andrews, Texas.....	12
Appalachian Compact.....	13
Atlantic Compact.....	13
Central Midwest Compact .....	14
Midwest Compact .....	14
Northwest Compact .....	14
Southeast Compact .....	15
Texas Compact .....	15
Southeast Compact Solicitations.....	16
2022 Hodes Award Nominations Sought.....	16
Executive Director Sought .....	16
Call for Papers: International Conference on the Safety and Security of Radioactive Sources .....	18
Low-Level Radioactive Waste Compact Membership.....	19
Acknowledgment & Disclaimer .....	20
Information Resources .....	20
Copyright Policy .....	20

### Officers

**Joe Klinger, Chair**  
**Chair-Elect, Kristen Schwab**  
**Earl Fordham, Past-Chair**  
**Alyse Peterson, Treasurer**

# Forum Corner


 LLW  
FORUM

## Meeting Focus

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The Board's focus at the June, July and August Board meetings included:

- Survey Monkey on Strategic Planning
- Fall Meeting planning
- Removal by NRC in 2005 of 11.e.(3) and 11.3.(4) material from the definition of LLRW and impact of state/compact definition
- NRC's ANPR re: Categorical Exclusions from Environmental Review
- Forum business and operational issues
- Strategic Planning/Marketing
- Issues related to import/export between compacts to be addressed through TX/VT Compact Management Rule, a rulemaking process now being started in Texas

## Focus on Financials

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January - June 2021 profit and loss statement includes income from DOE grant, memberships, and NNSA financial award. The period ends with a positive net income. Profit and loss as of June - August reporting indicated positive net income. Financial reports included balance sheets, expenditures, and review of investments.

## Next Meetings

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LLW Forum Meeting – October 13-14, 2021 in Denver, CO (in person and virtual)

DSWG – DSWG meeting at the conclusion of the fall meeting (October 15)

## Comments on Categorical Exclusions from Environmental Review– 86 FR 24514; Docket ID NRC-2018-0300

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The LLWF submitted comments on NRC's Advanced Notice of Public Rulemaking (ANPR). Complete details are given in this issue.

## Save the Date for the Fall Meeting

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Denver, Colorado  
Magnolia Hotel  
October 13-14, 2021

Registration and logistics are given in detail in this issue.

## Fall Meeting

The Forum intends to move forward with the upcoming Fall meeting to be held in Denver. We strongly recommend attendees be vaccinated and face coverings will be provided and are recommended.

We are working with the hotel to make this in-person meeting safe and enjoyable with certain precautions.

We will be implementing color-coding for your in-person badge to signify your comfort level with social interactions:

RED means please adhere to all social distancing and mask wearing protocols when we interact.

YELLOW means that you are mostly comfortable when we talk but please, no direct contact.

GREEN means that you are comfortable with normal social interactions.

## Registration

Free for up to two attendees representing members of the LLW Forum. Non-member registration: \$600.00 per attendee, payable by check or through PayPal.

We prefer to see you in person, but will be offering a virtual meeting using Webex Events. Registration for the virtual meeting will be \$100.00 per person, payable by check or through PayPal. The WebEx link will be provided after payment received, one link per

**Register  
NOW!**

<http://llwforum.org/llw-forum-meeting/>

## Date & Times

October 13-14, 2021

Begins: 9:00 a.m. on Wednesday

Concludes: 1:00 p.m. on Thursday

Executive Committee meeting: 7:30 – 8:30 a.m. on Thursday morning, October 14

Disused Sources Working Group (DSWG) meeting- including members, staff, organizational liaisons and invited guests: 9:00 a.m. – 1:00 p.m., Friday, October 15

Virtual option: Available for the main meeting on October 13-14

## Location

Magnolia Hotel  
818 17th Street  
Downtown Denver  
16th Street Mall area

## Hotel Reservations

Rate: \$195 plus tax per night (single or double)

Available: October 11-15, 2021

Telephone: 855-516-1090.

Group Code: Low Level Radioactive Reservations may also be made through this [link](#).

## Payments

Attendees wishing to pay by credit card or PayPal should complete the online registration form. Attendees wishing to pay by check should download the paper registration form. Both options are available at <http://llwforum.org/llw-forum-meeting/>

## Membership Information

Contact Dan Shrum, LLW Forum Executive Director at (801) 580-3201 or visit website at [www.llwforum.org](http://www.llwforum.org).

## Transportation

Taxi and Uber/Lyft: available from the Denver International Airport (DIA) Taxi service: flat rate of \$55.15

Public transportation, especially during rush hour times (7-10am; 4-7pm):

Light rail from DIA to downtown Denver. for \$10.50 charge each way - see <https://www.rtd-denver.com/services/rail>

Free shuttle bus along the 16th Street Mall: Explore downtown Denver and possibly assist in the last half mile from Union Station

## Comments on ANPR



July 21, 2021

Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

**e-mail:** [Rulemaking.Comment@nrc.gov](mailto:Rulemaking.Comment@nrc.gov)

**ATTN:** Rulemakings and Adjudications Staff

**Subject:** Categorical Exclusions From Environmental Review– 86 FR 24514; Docket ID NRC–2018–0300

The Low-Level Radioactive Waste Forum (The Forum) is submitting these comments in response to the subject notice. We appreciate the opportunity to comment on the U.S. Nuclear Regulatory Commission's (NRC's) Advanced Notice of Public Rulemaking (ANPR). The Forum is supportive of identifying options to improve and strengthen the NRC's regulatory framework. However, the ANPR does not sufficiently address the needs and concerns identified by the public and compact organizations during future approvals.

Our comments are summarized in the attachment. The ANPR provided very little detail on specific areas where Categorical Exclusions would apply and it was therefore challenging to provide meaningful comments. Some additional information was provided during the public meeting. As such, many of our comments are based on the information provided during the public meeting. The Forum may be supportive of this ANPR and subsequent proposed rule provided that the public retains opportunities to express concerns during licensing and regulatory actions. More importantly, the Forum is fully in favor of a rulemaking that would clarify Categorical Exclusions. We have identified considerations in our comments that would be important in such a rulemaking. Our comments are provided in response to the questions posed in the *Federal Register* notice.

Thank you again for this opportunity to comment. Questions regarding these comments may be directed to me at (801) 580-3201 or [dshrum@llwforum.org](mailto:dshrum@llwforum.org).

Sincerely,

Daniel B. Shrum  
Executive Director  
Low-Level Radioactive Waste Forum

## Comments on ANPR - continued

*Question 1. Are there licensing and regulatory actions that do not or have not resulted in environmental impacts that the NRC should consider as a categorical exclusion?*

Answer 1. The current regulatory process allows for the opportunity to hear from various stakeholders, a key component to receive input on protecting human health and the environment. It is impossible to definitively state whether existing environmental protections will remain if these actions are moved to categorical exclusions without clearly knowing what the actions are. There isn't sufficient information in the ANPR to comment on at this time. We urge the NRC to provide additional clarity on proposed categorical exclusions. We also urge the NRC to use caution when considering actions where categorical exclusion may result in the elimination of the only avenue for public input.

*Question 2. Are there any categorical exclusions that are listed in 10 CFR 51.22(c) that the NRC should consider modifying or clarifying? For example, are there categorical exclusions that licensees, applicants, or members have found confusing?*

Answer 2. The Forum is not aware of any on-going need to modify any of the current exclusions.

*Question 3. Are there any current categorical exclusions (§ 51.22(c))*

*that the NRC should consider removing? For example, are there categorical exclusions that are no longer in use, or are there activities listed that have been shown to have an environmental impact?*

Answer 3. The Forum is not aware of any need to remove any of the current exclusions.

*Question 4. Are there aspects of NRC authorized changes to previously approved programs, such as emergency plans, cybersecurity programs, quality assurance programs, radiation protection programs, or materials control and accounting programs that the NRC should consider categorically excluding?*

Answer 4. The Forum is not aware of a need to categorically exclude NRC authorized changes to these previously approved programs.

*Question 5. Is there anything else that the NRC should consider regarding its regulations for categorical exclusions?*

Answer 5. Two potential changes were identified in the ANPR and the public meeting. Specifically,

- o Revisions to categorically exclude issuance of exemptions to low-level waste disposal sites for the storage and disposal of special nuclear material regulated by Agreement States.

- o Revisions to categorically exclude approvals for alternative waste disposal procedures for reactor and material licenses in accordance with §

20.2002, "Method for obtaining approval of proposed disposal procedures."

The Forum seeks additional information as to the intent of these two proposed categorical exclusions. With regard to Special Nuclear Material (SNM), the Forum received a response after the June 16, 2021 public meeting from Duncan White (NRC Chief Agreement States Program Branch). The response, in part, stated the following:

"Instead of issuing a separate license, this stored SNM is regulated by the NRC through an order issued to the facility and that NRC order is included in the facility's license by the agreement state."

The Forum agrees with how SNM orders are currently issued by the NRC and wants to ensure that these orders are not what will fall under the proposed categorical exclusion. We urge the NRC to provide additional clarity and assurance.

The second issue is more problematic as it deals 20.2002 exemptions and the unofficial definition of Very Low-Level Radioactive Waste (VLLW). In 2018, NRC staff initiated a scoping study to identify potential options to improve and strengthen the regulatory framework for VLLW disposal. Results of that scoping study were recently released in SECY-21-0057. During the same period as the scoping study, the NRC also requested public input

## Comments on ANPR - continued

on the Transfer of Very Low-Level Waste to Exempt Persons for Disposal– 85 FR 13076; Docket ID NRC–2020–0065.

The ANPR is not clear on the intent to categorically exclude future 20.2002 disposals. For the sake of this comment, we will assume that is indeed the intent.

The NRC received significant public and industry comment on the Transfer of Very Low-Level Waste to Exempt Persons for Disposal and subsequently withdrew the proposed changes. The Forum commented (July 18, 2020) on the proposed change and generally speaking, opposes the concept of bypassing the current regulatory structure for disposal of Low-Level Radioactive Waste, including 20.2002 exemptions. Other compacts (Midwest Interstate, Texas/Vermont), the Association of State and Territorial Solid Waste Management Officials, the State of Washington Department of Health, the Organization of Agreement States, and the Utah Division of Waste Management and Radiation Control all expressed concerns with the proposed interpretative rule.

The results of the VLLW scoping study concluded that the NRC staff will continue to operate under the current regulatory framework. This conclusion was reached by analysis of the current U.S. framework and how other countries are currently

managing VLLW. The scoping study’s “Approach 3 – Continue with the Current Regulatory Framework of the Summary” document concludes with the following:

The advantage of this approach is the current framework has been proven over time to provide for adequate protection of public health and safety, and it allows NRC and industry resources to focus on higher priority work activities in the decommissioning and low-level waste business line that have more direct impacts on safety (e.g., reviews for an increasing number of licensing applications related to accelerated NPP decommissioning schedules). Currently, VLLW disposals are performed using a risk-informed, performance-based approach at 10 CFR Part 61 facilities or through the 10 CFR 20.2002 process. The staff has not seen delays in NPP or material site decommissioning due to a lack of VLLW disposal options. A disadvantage of this approach is the continued regulatory burden associated with 10 CFR 20.2002 case-by-case review process, which some stakeholders view as inefficient.

The Forum drew two observations from NRC’s conclusion. First, the NRC staff concluded that the current method is protective, assuming that the risk-informed, performance based approach is followed. Second, the NRC

staff makes no mention of the need to categorically exclude these reviews, particularly from an environmental analysis. To reiterate, the NRC’s VLLW scoping study concluded that no further action is required and did not identify a need to categorically exclude 20.2002 reviews. Therefore, there is no need to categorically exclude 20.2002 reviews.

What is needed, is a comprehensive overhaul of 10 CFR 61 to accommodate the existing disposal needs of the industry, including VLLW. The proper way to deal with VLLW is to include it in Part 61 with gradational disposal performance objectives. This would allow the use of permitted facilities without the robust features of a licensed Part 61 facility for VLLW. The Forum realizes the constraints (funding and staffing) the NRC is currently under, but 10 CFR 61 is already undergoing major modifications with the addition of long-live isotopes and possibly Greater than Class C (GTCC) waste materials. While it is true that the Part 61 rulemaking process has taken too long due to many factors, the addition of VLLW would not prolong the timeframe any more than the re-addition of GTCC (SECY-20-0098). This action, and only this action, will result in an all-inclusive framework for the management and disposal of all Low-Level Radioactive Waste.

## Disused Sealed Radioactive Sources

**Disused Sources Working Group Update**

by Michael Klebe

The Disused Sources Working Group has completed its work evaluating the impact of the 2015 revision to the US NRC's Branch Technical Position (BTP) on Concentration Averaging and Encapsulation. The BTP provides low-level radioactive waste generators with guidance on how to properly classify their waste for disposal. The DSWG documented their review in a report titled "An Evaluation of the US NRC's 2015 Revision to the Branch Technical Position on Concentration Averaging and Encapsulation for the Disposal of Radioactive Sealed Sources." The report was finalized in May and is available on the DSWG website.

The report's overall findings are the revision improved the classification process by adding clarity to the classification process, allowing the use of larger containers for averaging the waste concentration, and providing the generator flexibility to apply the least restrictive classification. Most sealed source shipments for disposal have been classified using the process defined in the 2015 revision. Obstacles remain for sealed source disposal, the primary of which are the high disposal cost and the generator's not properly planning for the lifecycle costs, including disposal.

DSWG



## Disused Sealed Radioactive Sources

### Collaboration Leads National Lab to Reuse Radioactive Source from Idaho Site

IDAHO FALLS, Idaho – An EM program at the Idaho National Laboratory (INL) Site has taken the “reduce, reuse, and recycle” concept to the next level by sending a legacy radioactive source to another DOE site for reuse.

The waste management program at EM INL Site cleanup contractor Fluor Idaho identified a small neutron-emitting, plutonium-beryllium source from a waste inventory at the Advanced Mixed Waste Treatment Project. Workers moved the material to a shielded cell at the Idaho Nuclear Technology and Engineering Center (INTEC) for inspection, characterization, sizing, and repackaging.

“Pacific Northwest National Laboratory (PNNL) in Washington state had expressed an interest in the source. Rather than package it up for eventual disposal, we placed it in a special-form capsule, a pipe-overpack container, and then a 55-gallon drum,” Fluor Idaho Waste Management Engineer John Naughton said. “It was shipped to PNNL safely and compliantly.”

An INTEC contractor acquired the source in the 1960s for spent nuclear fuel reprocessing operations. It was used in the testing of a prototype instrument to measure the concentration of fissile material in nuclear fuel reprocessing plant streams.

The source had been placed in storage in 1977, and in 1984, it was sent to the Radioactive Waste Management Complex at the INL Site for disposal. Waste management personnel identified it by cross-referencing it to its assigned product number.

The source is spherical in shape and had a long handle or rod affixed to it that was removed to fit the source in the specially designed capsule.

“PNNL wanted to use the source in their calibration laboratory,” said Irene Joo, remote-handled transuranic waste manager for Fluor Idaho. “Shipping it to them saves us the expense of keeping it here for several more years, monitoring it periodically, repackaging it, and shipping it for permanent disposal.”

PNNL’s Radiological Exposures and Metrology Laboratory specializes in using accredited radiation fields for materials research, instrument testing, and dosimeter proficiency. This new source augments PNNL’s extensive suite of sealed sources and radiation generators. The long half-life of this source will enable a low dose irradiation capability for many decades.

The Off-Site Source Recovery Program (OSRP) helped package the source in the special-form capsule for shipment to PNNL. OSRP is a National Nuclear Security Administration-sponsored program that identifies and removes excess, unwanted, or disused radioactive sealed sources that pose a potential risk to national security, health, and safety. Since 1997, OSRP has recovered nearly 45,000 sources from over 1,500 sites and has safely secured them. OSRP is located at the Los Alamos National Laboratory in New Mexico.

“There was great collaboration between three national laboratories,” Naughton said. “Where the source wasn’t being used in Idaho, it will get reused in Washington, which is a great practice with respect to usable radiological materials.”

Source: EM Update | Vol. 13, Issue 31 | Aug. 10, 2021, US Department of Energy

## NRC Congressional Budget Justification: Fiscal Year 2022 (NUREG-1100, Volume 37)

FY 2022 Congressional Budget Justification (PDF – 4.65 MB)

Decommissioning and Low-Level Waste Business Line activities support the licensing and oversight of uranium recovery facilities and sites undergoing decommissioning. This business line also oversees the national low-level waste program.

### Nuclear Materials and Waste Safety Highlights

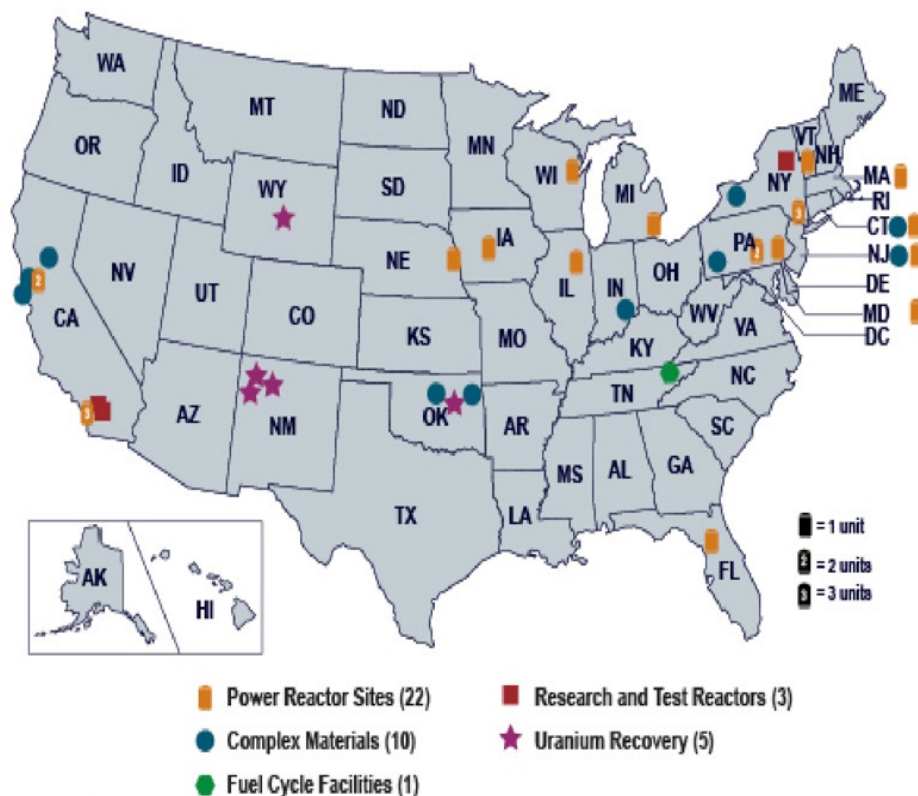
Business Line	FY 2021 Enacted		FY 2022 Request		Delta FY 22 – FY 21	
	\$M*	FTE	\$M*	FTE	\$M*	FTE
Spent Fuel Storage and Transportation	28.1	102.0	28.0	99.0	(0.1)	(3.0)
Nuclear Materials Users	55.5	201.0	60.3	198.0	4.8	(3.0)
Decommissioning and Low-Level Waste	22.8	86.0	22.9	85.0	0.1	(1.0)
Fuel Facilities	19.3	73.0	19.0	71.0	(0.2)	(2.0)
<b>Subtotal</b>	<b>\$125.6</b>	<b>462.0</b>	<b>\$130.2</b>	<b>453.0</b>	<b>\$4.6</b>	<b>(9.0)</b>
Authorized Carryover	(1.2)	-	-	-	1.2	-
<b>Total</b>	<b>\$124.4</b>	<b>462.0</b>	<b>\$130.2</b>	<b>453.0</b>	<b>\$5.8</b>	<b>(9.0)</b>

\*\$M includes FTE costs as well as contract support and travel. Numbers may not add due to rounding.

### NRC Proposes FY 2022 Budget to Congress

Source: NRC News Release No: 21-026 July 1, 2021, Contact: David McIntyre, 301-415-8200

#### DECOMMISSIONING AND LOW-LEVEL WASTE



**Figure 9: Anticipated Locations of NRC-Regulated Sites Undergoing Decommissioning in FY 2022**

Source: <https://www.nrc.gov/docs/ML2118/ML21181A336.pdf>

### Hanford Site Dry-storage Area

Construction is almost complete on a dry-storage area for 1,936 radioactive cesium and strontium capsules currently housed in an underwater basin at the nearby Waste Encapsulation and Storage Facility (WESF) at the Hanford Site.

EM Update | Vol. 13, Issue 27 | July 13, 2021

### Los Alamos Marks 30th Waste Shipment to WIPP for Fiscal 2021

LOS ALAMOS, N.M. – The EM Los Alamos Field Office (EM-LA) and cleanup contractor Newport News Nuclear BWXT-Los Alamos (N3B) recently completed their 30th shipment of transuranic (TRU) waste for the fiscal year that began in October last year.

EM Update | Vol. 13, Issue 30 |

### DOE Award to NAS

DOE awarded a non-competitive financial assistance renewal Cooperative Agreement to the National Academies of Sciences, Engineering, and Medicine to provide scientific information to encourage a healthy, constructive debate on nuclear waste issues, and to promote reasoned strategies for nuclear waste handling, treatment, storage, and disposal. Estimated value: \$5,000,000.00 for five Budget Periods, August 1, 2021 through July 31, 2026.

Contact: Toni Rutherford  
513-246-1374  
toni.rutherford@emcbc.doe.gov

### Disposal by the Numbers

- More than 60,000 cubic meters of managed transuranic and mixed low-level waste at the Idaho National Laboratory Site has been shipped offsite for disposal.
- About 51.3 million cubic feet of classified and low-level waste/mixed low-level waste has been disposed at the Nevada National Security Site radioactive waste disposal facilities since 1961.
- 263,205 containers have been emplaced in the Waste Isolation Pilot Plant underground.

Source: EM Updates Cleanup 'By the Numbers'  
EM Update | Vol. 13, Issue 26 | July 6, 2021

### WIPP Marks 100 Shipments From Oak Ridge Waste Processing Center

CARLSBAD, N.M. – EM's Waste Isolation Pilot Plant (WIPP) recently marked a milestone after receiving its 100th waste shipment from Oak Ridge, Tennessee since shipments resumed in August 2017, following a fire and radiological events in the WIPP underground in 2014. The 100 shipments from the Transuranic Waste Processing Center (TWPC) were made up of 3,327 drums of legacy Contact-handled (CH) transuranic (TRU) waste, representing a 50% reduction in the center's waste inventory.

### Idaho Site Draws Closer to Shipping More Than 2,200 Waste Drums to WIPP

IDAHO FALLS, Idaho – More than 2,200 drums containing Cold War weapons waste at the Idaho National Laboratory (INL) Site recently received the green light for certification to be shipped out of state in compliance with the 1995 Idaho Settlement Agreement. The EM Carlsbad Field Office (CBFO) approved documentation to allow for certification and shipment of 2,237 drums of transuranic (TRU) waste stored at the Advanced Mixed Waste Treatment Project (AMWTP) at the INL Site. TRU waste consists of tools, rags, protective clothing, sludges, soil, and other materials contaminated with radioactive elements. These manmade elements have atomic numbers greater than uranium on the periodic table of elements, thus "trans-uranic" or beyond uranium.

Articles reprinted and excerpted with permission: US Department of Energy

## Spent Fuel, Decommissioning and Waste Storage

### NRC Issues Final Environmental Study for Proposed Spent Nuclear Fuel Storage Facility in Andrews, Texas

The Nuclear Regulatory Commission has issued its final environmental impact statement on an application by Interim Storage Partners, LLC, to construct and operate a consolidated interim storage facility for spent nuclear fuel in Andrews County, Texas. After considering the environmental impacts of the proposed action, the NRC staff recommend granting the proposed license.

Interim Storage Partners is a joint venture of Waste Control Specialists, LLC, and Orano CIS, LLC, a subsidiary of Orano USA, LLC. If granted, the license would authorize ISP to construct a facility to store up to 5,000 metric tons of spent commercial nuclear fuel as well as Greater-Than-Class C waste for a period of 40 years. ISP plans to expand the facility to a total capacity of 40,000 metric tons of spent fuel. The facility would be built adjacent to the Waste Control Specialists low-level radioactive waste disposal site.

The NRC published a draft environmental impact statement on the project in May 2020. Agency staff held four public meetings by webinar to present the draft findings and receive public comments. To complete the final document, the staff received and evaluated approximately 2,500 unique comments submitted by nearly 10,600 members of the public.

The NRC will provide the final environmental impact statement to the Environmental Protection Agency for filing. Once the EPA publishes in the *Federal Register* a notice that it has received the document, the NRC must wait at least 30 days before issuing a licensing decision. When it announces its licensing decision, the NRC will also publish its final safety evaluation report detailing its technical review of the ISP application.

More information about the NRC staff's review of the Interim Storage Partners application is available on the NRC website.

Source: NRC - News Release No: 21-029 July 29, 2021

Contact: David McIntyre, 301-415-8200

### Updated FAQs on NRC Uniform Waste Manifest Forms NUREG/BR-0204, Revision 3 are available

The NRC is adding 4 answers to the Frequently Asked Questions (FAQs) on the Uniform Low-Level Waste Manifest Forms. See <https://www.nrc.gov/waste/llw-disposal/llw-pa/llw-uwm.html>

<https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML21207A234>

Contact Priya.Yadav@nrc.gov with any questions.

### NRC Letter to Holtec International – Revised Review Schedule for Holtec HI-STORE CISF License Application

On July 2, 2021, NRC staff issued a letter notifying Holtec International that it has revised the schedule for the completion of its detailed safety, security, and environmental reviews of Holtec's application for a license to construct and operate the proposed HI-STORE Consolidated Interim Storage Facility (CISF), in Lea County, New Mexico. The NRC staff's letter may be viewed at <https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML21181A389>.

### NRC Issuing a New Regulatory Guide (RG) 3.76 (Revision 0), "Implementation of Aging Management Requirements for Spent Fuel Storage Renewals"

This new guidance describes an approach that is acceptable to the staff of the NRC to meet the regulatory requirements for spent fuel storage renewals. It addresses requirements for the renewal of specific licenses for independent spent fuel storage installations (ISFSIs) and certificates of compliance (CoCs) for spent fuel storage cask designs pursuant to NRC requirements.

Revision 0 to RG 3.76 is available on July 21, 2021.

Please refer to Docket ID NRC-2020-0255.

<https://www.regulations.gov>

Contact: Stacy Schumann; telephone: 301-415-0624; email: Stacy.Schumann@nrc.gov.

**Appalachian Compact**

Delaware • Maryland •  
Pennsylvania • West Virginia

**Meeting**

November 5, 2021 from 10:00 a.m. to 12:30 p.m.

See <https://www.dep.pa.gov/Business/RadiationProtection/Appalachian/pages/default.aspx>

Three Mile Island Nuclear Generating Station - Unit 1 - NRC In-dependent Spent Fuel Storage Security Inspection Report No. 07200077/2021401 is available as ML21194A076 via the public web site Electronic Reading Room in the Agency Document Access and Management System (ADAMS),

<http://www.nrc.gov/reading-rm/adams.html>

**Atlantic Compact**

Connecticut •  
New Jersey • South Carolina

**Meeting**

September 28, 2021 in Columbia, South Carolina

For more information please contact Max Batavia at [max@atlanticcompact.org](mailto:max@atlanticcompact.org)

**NRC Accepts Application for Subsequent License Renewal of Oconee Nuclear Power Reactors**

The NRC has accepted for review an application from Duke Energy Carolinas requesting an additional 20 years for the previously renewed operating licenses of Oconee Nuclear Station Units 1, 2 and 3.

Duke Energy is seeking a subsequent renewal for the Oconee units in Seneca, South Carolina, approximately 30 miles southwest of Greenville. The NRC has published in the *Federal Register* a notice of opportunity to intervene in an adjudicatory hearing. Petitions to intervene in a hearing must be filed by

Sept. 27.

Source: NRC News Release No: 21-030 August 6, 2021

Contact: Scott Burnell, 301-415-8200

**NRC to Hold Webinar Seeking Comment on Environmental Review Topics for Oconee Subsequent License Renewal**

NRC staff will hear the public's views on environmental issues the agency should consider in reviewing Duke Energy's application for an additional 20 years of operation for Oconee Nuclear Station Units 1, 2 and 3.

The staff will hold a webinar on Wednesday, Aug. 25, from 2-4 p.m. Eastern time, to discuss the environmental review process and take comments.

Source: NRC News Release No: 21-031 August 11, 2021

Contact: Scott Burnell, 301-415-8200

**NRC Seeks Public Comment on Draft Environmental Study for License Renewal of Westinghouse Nuclear Fuel Fabrication Facility**

The NRC is seeking public comment on its draft environmental impact statement for the proposed license renewal of Westinghouse Electric Co.'s Columbia Fuel Fabrication Facility in Hopkins, South Carolina. The draft statement makes the preliminary recommendation that the license should be renewed for an additional 40 years.

The draft statement concludes environmental and socioeconomic impacts from renewing the operating license for 40 years would be small for most environmental resource areas, with small to moderate impacts primarily in groundwater on the plant site. The public comment period will open Aug. 6 with publication of a notice in the *Federal Register*. Comments will be accepted through Sept. 20.

Comments may be submitted online at [www.regulations.gov](http://www.regulations.gov), using Docket ID NRC-2015-0039.

See complete news release at [www.nrc.gov/reading-rm/doc-collections/news/](http://www.nrc.gov/reading-rm/doc-collections/news/)

Volume 36 Number 4 July - August 2021 Page 13

**Central Midwest Compact**

Illinois • Kentucky

**Meeting**

September 21, 2021 in Frankfort, Kentucky

Annual Meeting for Fiscal Year 2022 Agenda

includes:

Chairman &amp; Host State Report

Kentucky Commissioner Report

Executive Assistant Report

Acceptance of Auditor's Report

Adoption of Fiscal Year 22 Budget

KY LLRW Management Update

IL LLRW Management Update

Review of FY21 CMCC Annual Report

Review of CMCC Bylaws

Review of CMCC Investment Policy

Contact: Lori Beagles, telephone 217 741-7533

**Midwest Compact**

Indiana • Iowa • Minnesota • Missouri • Ohio • Wisconsin

**Duane Arnold Energy Center (DAEC)****derecho event on August 10, 2020**

The NRC staff's evaluation concluded that the derecho at the DAEC demonstrated that the plant's design was adequate to withstand the impacts of high winds and resulting debris-generated missiles. It also demonstrated that there are additional risk insights gained that could benefit plants impacted by similar severe weather events in the future.

Technical Contacts: Matthew Leech, NRR Rebecca Sigmon, telephone 301-415-8312 or 301-415-0895

Matthew.Leech@nrc.gov e-mail

Rebecca.Sigmon@nrc.gov

**NRC Launches Special Inspection at Davis-Besse Nuclear Power Plant**

The NRC has launched a special inspection at the

Davis-Besse nuclear power plant. The six-person inspection team will review the company's response to each diesel generator failure, including the company's cause analysis, extent of condition reviews, maintenance practices and system design. The team will also focus on the circumstances affecting the recent complicated automatic reactor shutdown, which was triggered by a turbine trip, assessing equipment performance and operator response.

In the past 24 months, Davis-Besse experienced four failures of emergency diesel generators to operate in accordance with specifications during NRC-required testing and one failure of a station blackout diesel generator during maintenance. Normal plant operations were not affected by the diesel failures during testing and maintenance, and public safety was maintained.

Source: NRC News Release No: III-21-017 July 27, 2021

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

**Northwest Compact**Alaska • Hawaii • Idaho •  
Montana • Oregon • Utah • Washington • Wyoming**Meeting**

Utah Waste Management and Radiation Control

July 8, 2021

The Agenda and Board packet information are 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>

**Rocky Mountain Compact**

Colorado • Nevada • New Mexico

**Louisiana Energy Services, Eunice, New Mexico – Amendment 90, Approval of**

## Decommissioning Funding Instruments

The NRC staff has concluded that the funding instruments are acceptable as described in correspondence. Pursuant to Part 70 of Title 10 CFR, Materials License SNM-2010, Condition 10 has been amended to incorporate the changes.

### Southeast Compact

Alabama • Florida • Georgia •  
Mississippi • Tennessee • Virginia

## NRC Makes St. Lucie's Subsequent License Renewal Application Available to the Public

The NRC has received a subsequent license renewal application from Florida Power and Light, which requests an additional 20 years for the already-renewed operating licenses of St. Lucie Plant, Units 1 and 2. FPL seeks to renew the licenses for a second time. The St. Lucie units are pressurized-water reactors located in Jensen, Florida, approximately 10 miles southeast of Fort Pierce. The NRC approved the initial license renewal in October 2003, with Unit 1 currently licensed to operate through March 1, 2036, and Unit 2 through April 6, 2043.

Source: NRC News Release No: 21-032 August 16, 2021

Contact: Scott Burnell, 301-415-8200

Also see solicitations for Hodes Award and Executive Director position at the conclusion of the "States and Compact" section in this issue.

### Texas Compact

Texas • Vermont

### Meetings

July 15, 2021

September 16, 2021

October 28, 2021

The July meeting included:

Consideration of and possible action on applications and amendments for importation of low-level radioactive waste

Consideration and possible action on FY 2022 Budget

Consideration and possible action to amend or renew employment agreements for Commission staff and contractors

Chairman's Report on Compact Commission Activities:

a. Report on Communications with other Compacts and the Low Level Forum

b. Fiscal and Budget Updates

Executive Director's Report - Update on the Texas Sunset Advisory Commission Review

Rules Committee Report - Rulemaking project to amend 31 TAC § 675.24 ("Management Rule")

See the video at [https://www.youtube.com/watch?v=FB296foZ\\_q0](https://www.youtube.com/watch?v=FB296foZ_q0)

## Northstar Nuclear Decommissioning Company, LLC, Vermont Yankee Nuclear Power Station, Vernon, Vermont - NRC Inspection Report No. 05000271/2021001

On July 15, 2021, the NRC completed an inspection under Inspection Manual Chapter 2561, "Decommissioning Power Reactor Inspection Program," at the permanently shutdown Vermont Yankee Nuclear Power Station. The results of the inspection were discussed with Mr. Tom Silko, Licensing Manager, on July 15, 2021. No findings of safety significance were identified.

Source: August 10, 2021, NRC letter.

## Southeast Compact Solicitations

Alabama • Florida • Georgia •  
Mississippi • Tennessee • Virginia

### 2022 Hodes Award Nominations

The Southeast Compact Commission for Low-Level Radioactive Waste Management is accepting nominations for the 2022 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 '22 Conference in Phoenix, Arizona. The award recipient will receive a \$5,000 honorarium and all travel expenses will be paid.

Nominations must be received by  
September 30, 2021

<https://secompact.org/richard-s-hodes-award/nomination-form/>

### Executive Director Sought

The Southeast Interstate Low-Level Radioactive Waste Management Compact is seeking a self-motivated and highly accomplished Executive Director with a demonstrated record of success to provide leadership for day-to-day operations of the Commission and to assist the Commission in developing and implementing a vision and strategic plan to guide the organization.

Opening Date: July 1, 2021

Closing Date: August 31, 2021

Starting Date: November 1, 2021

This is a Part-Time Contract Position of approximately 20 Hours/Week.

Location to be determined.

For more information on the search, <http://secompact.org/slider/southeast-compact-commission/>



## STOLEN SOURCES

### Florida - Lost Portal Monitors

Customs and Border Patrol reported five sources were stolen from the back of a truck while it was parked in a hotel lot in the Miami area, after the lock on the truck was broken. The sources were being transported to calibrate Radiation Portal Monitors at Customs and Border Patrol offices in the Miami area.

### California - Stolen XRF Analyzer

"On 08/06/21, California Office of Emergency Services (Cal OES) reported an incident involving loss of a Thermo Fisher Scientific, Niton X fill P 300 series XRF analyzer, Model XLP 300, S/N: 91800. The unit was resourced in May 2018 with 40 milliCi of Cd-109, with current activity of 6.7 milliCi. The XRF unit was taken from one of their employee's vehicle parked at his residence in San Jose, CA."

### Nevada - Stolen Troxler Moisture Density Gauge

"Authorized user brought a portable nuclear gauge (PNG) up to Reno, Nevada (their license is based out of Las Vegas) to use on job and stayed the night of August 1, 2021, at the Atlantis, parked in the South East Corner lot. When he went out at 0800 PDT he noticed that the gauge was missing and the chains had been cut. He reported the missing gauge to the [Radiation Safety Officer] RSO and looked around the parking lot, drove the perimeter of the lot and a few blocks around the hotel and did not find the gauge."

### Texas - Stolen / Recovered Density Gauge

"On July 6, 2021, the Texas Department of State Health Services was Contacted by the licensee's radiation safety officer (RSO). The RSO stated that a [former] employee had taken a Troxler

moisture density gauge and did not return it. The gauge contains a 40 milliCurie americium - 241 source and an 8 milliCurie cesium - 137 source. The gauge was taken after the employee's employment had been terminated. The Agency was notified by the RSO that the gauge had been recovered."

### California - Stolen Moisture Density Gauge

"On 7/5/21, licensee Contacted California Office of Emergency Services (Cal OES) to report a stolen moisture density gauge. The gauge stolen is a CPN Model MC-1, S/N MD 80304167 containing 10 mCi of Cs-137 and 50 mCi of Am-241. Gauge user's vehicle parked in Sacramento, CA, was broken into and the gauge that was stored inside a secured metal box bolted to the bed of the truck was stolen on 7/3/21."

### Texas - Stolen Moisture Density Gauge

"The Texas Department of State Health Services was notified by the licensee's radiation safety officer (RSO) that a Troxler model 3440P was stolen from a truck parked overnight at a technician's home. The gauge contains a 40 milliCurie americium - 241 source and an 8 milliCurie cesium - 137 source. The technician had taken the gauge home on June 29, 2021. The gauge was inside a locked transport container that was located inside a locked metal container which was chained with two independent chains and locked to the back of the truck. The chains were cut and the metal container was stolen."

### Texas - Stolen Fixed Nuclear Gauge

"The Texas Department of State Health Services was notified by one of its General License Acknowledgement holders that it had determined that a Vega model SHLD1 nuclear gauge, containing 50 milliCuries of cesium-137, was missing and suspected stolen. The gauge had

Source for Incidents: Event Reports at <https://www.nrc.gov/reading-rm/doc-collections/event-status/event/index.html>

## Nuclear Security

been mounted at a facility [in Kosse, TX] that was closed in 2019. The gauge is thought to have been stolen at some point after the facility closed.”

### LOST SOURCES

Michigan - “Prime NDT Services, Inc. reported that a 64.7 Ci Ir-192 source was shipped via [the common carrier] on July 12, 2021 from their facility in Strasburg, Ohio to their facility in Michigan. As of July 21, the source has not been delivered by [the common carrier].”

#### NRC - Region III - Report Of Lost Material

“During a recent NRC inspection, the Radiation Safety Officer (RSO) and the NRC inspector determined that 2 Exit Signs (H-3; 0.352 Bq each) were missing and could not be located. The RSO has been searching since the inspection and has yet to locate the signs. The RSO noted that the exit signs were ordered in 2009 but was unable to find any removal work orders and is unaware of any effort to dispose of the signs. The RSO is unsure how long the signs have been missing.”

#### North Carolina - Lost Device

“A NC General Licensee reports the loss of 8 NRD Advanced Static Control devices. Each device contained Po-210 with an activity of 10 mCi, each. General License: TBD as at the time of this report our General License Coordinator is currently unavailable. The licensee reports that the devices may have been inadvertently disposed of and their search continues at this time.”

#### Wisconsin - Cs-137 Missing Source

“The licensee reported to the Department [of Health Services] that a package containing 25 Curies of Cs-137 had been shipped from Wisconsin on April 16, 2021 and did not arrive at its destination in California. The last known location of the package was in Chicago, Illinois on April 22, 2021. The licensee is following up with the common carrier, but to date the package has not been located.”

#### Texas - Missing Device

“On July 14, 2021, the licensee notified the Texas Department of State Health Services that in the process of terminating their license for radioactive materials, the Agency discovered that its records indicated the licensee had at one time a Thermo Niton XL3p-800 device, containing 30 millicuries of americium- 241, which was not on the licensee’s current inventory of devices and they learned it had not been on their inventory for years.”

#### Utah - Missing Device

“The Utah Division of Waste Management and Radiation Control (DWMRC) was notified by the licensee that a fixed gauge was missing. The fixed gauge was supposed to be removed from the hopper where it was located and placed in storage for future use. For some reason, this removal did not occur. The fixed gauge was left in place and had not been moved to a secured storage location. The shutter on the gauge was locked in the closed position.

### Call for Papers: International Conference on the Safety and Security of Radioactive Sources

Interested participants have until September 15 to submit a synopsis to present at the IAEA International Conference on the Safety and Security of Radioactive Sources, to be hosted at IAEA headquarters in Vienna, Austria, from 20 to 24 June 2022.

See <https://www.iaea.org/newscenter/news/call-for-papers-international-conference-on-the-safety-and-security-of-radioactive-sources>

Low-Level Radioactive Waste Disposal Compact Membership

Northwest Compact

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

Midwest Compact

- Indiana
- Iowa
- Minnesota
- Missouri
- Ohio
- Wisconsin

Appalachian Compact

- Delaware
- Maryland
- Pennsylvania
- West Virginia

Rocky Mountain Compact

- Colorado
- Nevada
- New Mexico

Northwest accepts Rocky Mountain waste as agreed between Compacts

Central Midwest Compact

- Illinois
- Kentucky

Atlantic Compact

- Connecticut
- New Jersey
- South Carolina

Southwestern Compact

- Arizona
- California
- South Dakota
- North Dakota

Texas Compact

- Texas
- Vermont

Central Compact

- Arkansas
- Kansas
- Louisiana
- Oklahoma

Southeast Compact

- Alabama
- Florida
- Georgia
- Mississippi
- Tennessee
- Virginia

Unaffiliated States

- District of Columbia
- Maine
- Massachusetts
- Michigan
- Nebraska
- New Hampshire

- New York
- North Carolina
- Puerto Rico
- Rhode Island

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) [listserv@unixmail.rtpnc.epa.gov](mailto:listserv@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 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](http://www.llwforum.org)

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