

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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Officers

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

Forum Corner


 LLW
FORUM

Meeting Focus

The Board's focus at the June, July, August and September 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

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. September's report noted that two membership renewals have been received (NEI, NRC). California has been billed for membership dues.

Catherine Pennington, CPA, has been engaged to perform duties for the LLWF. She is in the Washington D.C. area and specializes in non-profit agencies.

Fall LLW Forum Meeting

The LLWF held its Fall Meeting on October 13-14 as a hybrid in-person and virtual meeting. The in-person meeting was held in Denver, Colorado. Around 35 participated in person with virtual attendance ranging from 50 - 80 attendees in the three sessions.

Highlights of presentations from the meeting are included in this issue and the entire presentations are available at <https://online.fliphtml5.com/ltxgx/ppiz/#p=1>

The Forum thanks the expert speakers and panelists for their contributions and excellent presentations.

The Forum thanks all the attendees who participated virtually or in-person.

Meeting Dates

Board Meeting – September 8, 2021

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

DSWG – DSWG meeting at the conclusion of the Fall Meeting (October 15)

Mission & Operations Committee - Strategic Plan Update

The Committee has met and expects to have a draft ready for the Fall Meeting.

LLW FORUM'S FALL MEETING, OCTOBER 13-14, 2021 - DENVER, COLORADO

Keynote Speaker

NRC COMMISSIONER

DAVID WRIGHT



- Audience discussion topics included:
- Informed consent concept for a collaborative process for disposal sites
 - Encouraging uniformity in standards
 - Climate change
 - Environmental Justice
 - By-in from Agreement States
 - GTCC

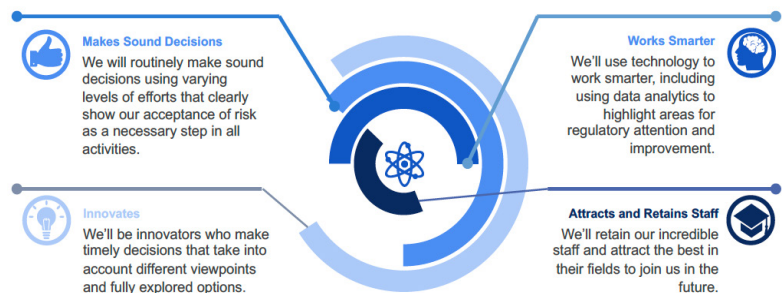
- Commissioner Wright discussed the changing landscape of the NRC, presenting his own comments and not those of the Commission or NRC, he clarified. Topics included:
- Reasonable assurance of adequate protection
 - Applying risk-informed principles in regulatory decision-making - being flexible and meeting the challenges
 - Enhancing decommissioning guidance
 - Greater-than-Class-C and Part 61 rulemaking
 - Uniform Waste Manifest Forms
 - NRC's Very Low-Level Waste Scoping Study
 - Benefiting from a diversity of views

“Regulatory activities should be consistent with the degree of risk reduction they achieve. Where several effective alternatives are available, the option which minimizes the use of resources should be adopted.”

Principles of Good Regulation: Efficiency

NOTE: Meeting with NRC, OAS and CRCPD, Thursday, October 28, 2021
 Contact: Celimar Valentin-Rodrigue
 Phone 301-415-7124 <https://video.nrc>.

A Modern Risk-Informed Regulator



Highlights of the Forum presentations are presented in this issue. For complete information, the LLW Forum Fall on-line booklet is available using the link below. It includes the agenda presentations. Presentations will also be available on the LLW Forum website after the conclusion of the meeting. See <https://online.fliphtml5.com/ltxgx/ppiz/>

LLW FORUM'S FALL MEETING, OCTOBER 13-14, 2021 - DENVER, COLORADO

NRC Update

Melissa Ralph, Acting Chief
Low-Level Waste and Projects Branch
Division of Decommissioning, Uranium
Recovery, and Waste Programs
Office of Nuclear Material Safety and
Safeguards

Discussion Topics

- 2016 Programmatic Assessment
- LLW Rulemakings
- Very Low-Level Waste (VLLW) Developments
- Uniform Waste Manifest (NUREG/BR-0204, Revision 3)
- Decommissioning Process Improvements
- Radiation Source Protection and Security Task Force
- Response to COVID-19 pandemic
- Environmental Justice

Status Highlights**Part 61 and GTCC/TRU Rulemakings**

- Combining these efforts to address overlapping technical requirements, streamline stakeholder outreach, and gain efficiency in proceeding as one rulemaking activity
- Waiting for Commission Direction on SECY-20-0098

VLLW - Alternative Disposal Requests Guidance

- Issued revised guidance on April 9, 2020 (ADAMS Accession No. ML19295F109)
- Proposed interpretive rule related to 10 CFR 20.2001 "authorized recipient" (Withdrawn, 85 FR 81849)
- VLLW Scoping Study

Points of Contact**GTCC/Part 61**

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VLLW

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Uniform Waste Manifest

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LLW FORUM'S FALL MEETING, OCTOBER 13-14, 2021 - DENVER, COLORADO

DOE/EM Waste Management Update

Doug Tonkay

Acting Deputy Assistant Secretary for Waste and Materials Management

Highlights of Some Topics

Waste Disposal Considerations - Sufficient LLW/MLLW disposal capacity exists at DOE and commercial facilities to support the EM cleanup mission.

WIPP Update

- Total number of TRU waste sites cleaned up to date: 22
- Total shipments (as of 7/24/2021): 12,951 traveling over 15.5 million miles.

Manifest Information Management System (MIMS) - MIMS is the public source for manifest data of non-DOE LLW shipped to commercial disposal facilities. Visit MIMS at: <https://mims.doe.gov>

Waste Information Management System (WIMS) - Includes DOE planned LLW/MLLW treatment/disposal forecast. Visit WIMS at: <https://emwims.org>

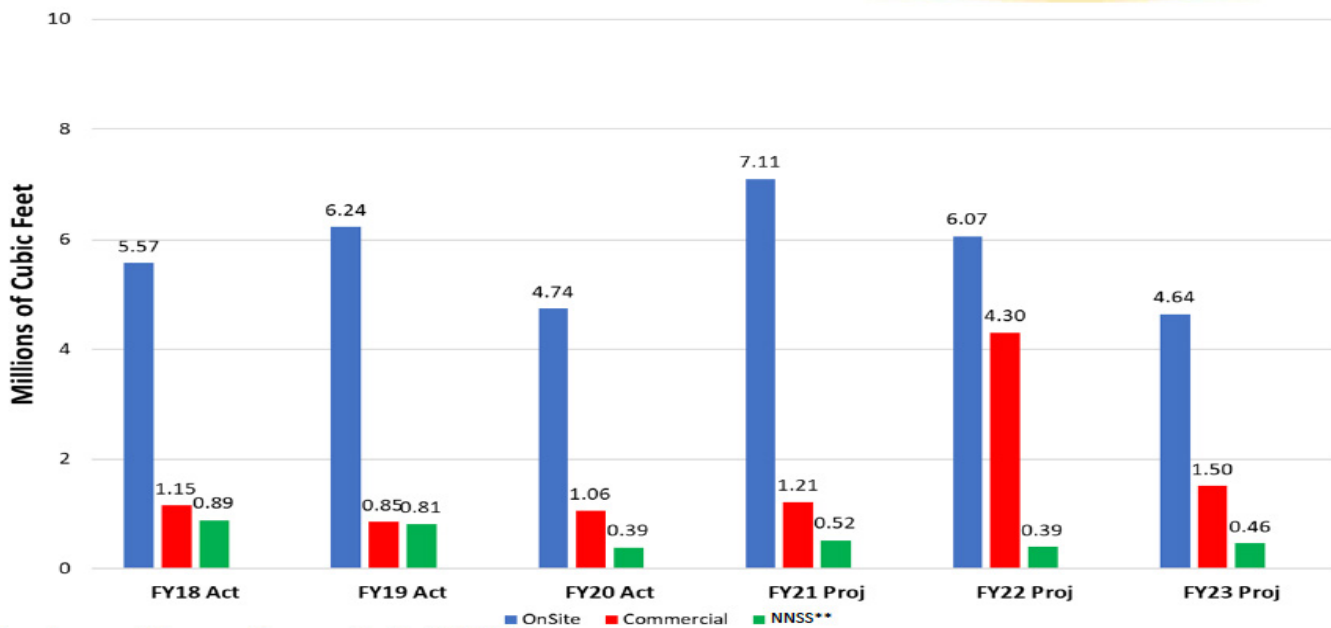
CTGG LLW

- In October 2018, EM issued the Environmental Assessment (EA) for the Disposal of Greater-Than-Class C (GTCC) Low-Level Radioactive Waste and GTCC-Like Waste at Waste Control Specialists, Andrews County, Texas. The EA is not a decision document.

- In June 2019, Nuclear Regulatory Commission's (NRC) issuance of the Draft Regulatory Basis for GTCC LLW disposal
- Status: "Await action by Congress" question as noted in Section 631(b)(1)(B)(ii) of the Energy Policy Act of 2005 needs to be addressed

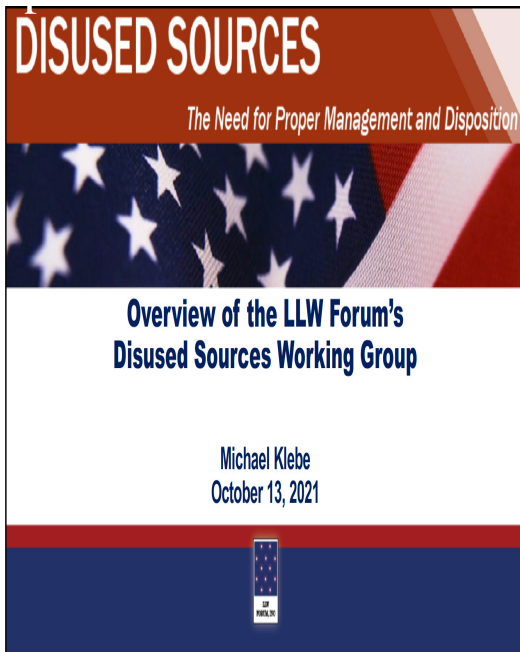
Environmental Justice - This is a major effort in DOE and the FY23 budget will include initiatives related to DOE waste.

Complex-wide LLW/Mixed Low-Level Waste (MLLW) Disposal Volume* by Disposal Location



*Based upon data currently compiled in EM WIMS

**"NNSS" represents waste generated outside of Nevada that was disposed at NNSS



Obstacles for Sealed Source Disposal

- Lack of an incentive for licensees to dispose of unused sources
- Not a priority for regulatory programs
- Possible options:
 - Possession limit (2-year)
 - Possession fee (annual source fee)
- Type B shipping cask
 - Cost and availability
 - Commercial fleet (EnergySolutions and WCS)
 - NNSA designed
 - NAC International Optimus

DSWG Current Membership

• Members:

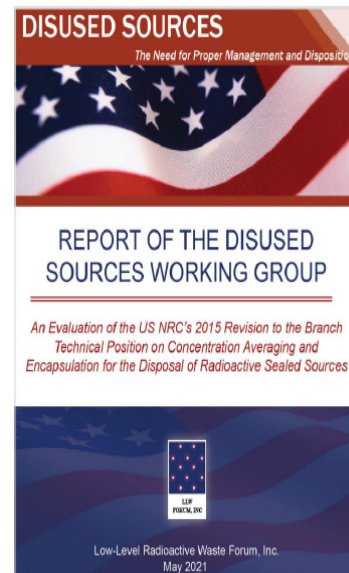
Joseph Klinger, CMCC – Chair	Earl Fordham, WA
Rich Janati, PA	John Williamson, FL
Kevin Siebert, WA	Michael Kurth, US Army

• Organizational Liaisons

Denny Galloway, CRCPD	Craig Little, HPS
Augustinus Ong, OAS	

• Staff

Dan Shrum	Michael Klebe	Gary Robertson
Cecilia Snyder	Lori Beagles	



Decommissioning Panel - Current Projects, Successes, Lessons Learned, Upcoming Projects

Discussion Leader – Thomas Magette and Panelist:

Holtec, Northstar, and EnergySolutions

Presenters provided detailed information that are included in the flipbook from the meeting, available at <https://online.fliphtml5.com/ltxgx/ppiz/>

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Site Updates - US Ecology, EnergySolutions and Waste Control Specialists

US Ecology Washington: Richland Facility

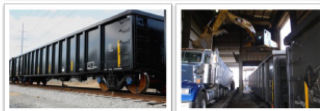
- NWIC Designated Facility. Also available to RMLLWC
- Located on 100 acres within the Hanford Reservation
- Originally licensed in 1965
- Operates through lease agreement with the State of Washington. Expires 2056
- Rate-regulated by WUTC
- Compact Class A/B/C LLRW + NARM/Exempt Nationwide



7 US ecology | Unequaled service. Solutions you can trust.

US Ecology Idaho – Grand View, ID

- RCRA Sub-C TSDF
- Capacity: 10M+ yd³ permitted, 18M+ yd³ additionally sited
- NORM, TENORM, Exempt VLLW (Byproduct, Source, and SNM)
- High-capacity RTF with 15k feet of rail track
- New Treatment Building completed and opened in 2021

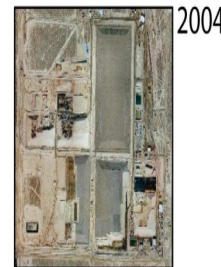
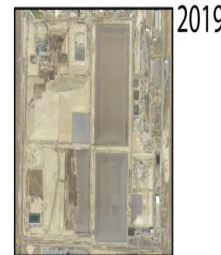


15 US ecology | Unequaled service. Solutions you can trust.

Source: US Ecology Updates - Joseph J. Weismann, CHP VP Radiological Programs

Facility Overview – Clive Operations

- Over 30 years of proven experience treating and disposing of radioactive waste
- Bulk waste and containerized waste facilities with unique licenses and permits
 - Class A Radioactive Material
 - Radioactive Material Licenses - LLRW & 11e(2)
 - RCRA Permit (Treatment & Disposal of MW)
 - TSCA Approvals(PCB waste streams)
 - SNM Exemption (Concentration based limits)
 - Exempted LLRW (pending)
 - Federal-generated LLRW (pending)
- Long-term federal and commercial contracts.

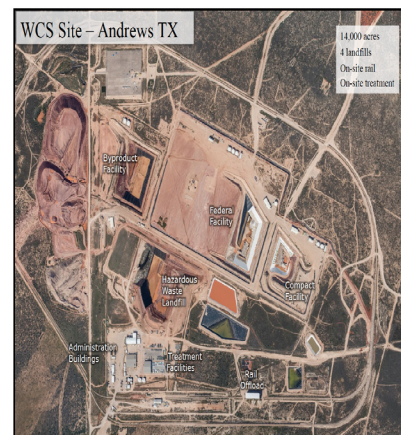


Source: Vern Rogers, Director of Regulatory Affairs

Waste Control Specialists Key Statistics

- 9,000,000 cubic feet of licensed disposal capacity
- Constructed cell capacity is 475,000 ft³ of waste
 - o 220,000 cubic feet used to date (2% of licensed capacity)
 - o Phase 2 will hold approximately 425,000 ft³ of waste
- 3,890,000 curies (decay corrected) of licensed capacity
 - o Can be increased to 8,000,000 curies upon request and TCEQ approval
- Texas owns the privately developed CWF, operated by WCS
 - o TCEQ review and acceptance of all waste
- Licensed through September 2024 with provision for 10-year renewals

Source: David Carlson, President and COO



LLW FORUM'S FALL MEETING, OCTOBER 13-14, 2021 - DENVER, COLORADO

Forum Working Group TLLRWDC Management Rule Import/Export between Compacts Panel Discussion

The panel discussion presented the issue and encouraged Compacts to provide comments on the Management Rule amendment when opportunity for comment arises in the future.

Definition of the Issue

The Fall Forum meeting provided a definition of the problem of shipments between compacts. As Earl Fordham explained, in the case of the NW Compact, exportation is not controlled by statutes (and those of the eight states in the compact). To change would also require ratification by Congress.

Kathy Davis, ED of the SW Compact, explained that the SW Compact requires petition and notice of shipment when LLW is shipped out of the compact for accountability purposes. This benefits the SW Compact and the public.

Development of the LLWF Working Group

Brandon Hurley, Chair TLLRWDC, explained the issue which prompted the LLWF Working Group formation regarding on-going issues. The working group includes Earl Fordham, Kathy Davis, Leonard Slosky, Stephen Raines, and is Chaired by Brandon Hurley and includes Dan Shrum, ED of the LLWF. In January 2021, during a Texas/Vermont Compact meeting, a shipment from the State of Washington was discussed. Originally shipped to WCS in Texas for disposal in the RCRA cell, it turned out the shipment did not qualify and therefore needed import approval into the Texas/Vermont Compact. Since the shipment was already in Texas at the time import approval was requested, the NW Compact agreed that it could stay in Texas. This issue also prompted amendment of the Compact's Management Rule so that the Compact and the public can know about the LLW in the state.

Commissioners Linda Morris and John Salsman of the Texas/Vermont Compact who are part of their Rulemaking Committee on the Rulemaking project to amend 31 TAC § 675.24 ("Management Rule")

Linda Morris

Changes to other rules include the Contingency Plan rule which necessitates changes to the other rules, including definitions, and the export rule regarding emergency export.

The Management Rule is being amended so that LLW coming in and leaving the state is well known, particularly materials that have various routes to come into the state. The rule is for reporting after the fact, and the amendment will strengthen the rule. Details were discussed in the September TLLWRCC meeting. The rule is in draft stage and it will be made public, after sharing with stakeholders for informal comment. The Compacts and Forum will be asked for comments; then formal comments will be solicited as well.

John Salsman

The rule is about reporting, not permission for actions. Health and safety requirements, restriction of waste of international origin, and proper collection of fees are all relevant issues. So that there is understanding of what is happening, a Technical Position Paper will be developed to provide guidance on last beneficial user and other issues, such as NRC's rules on import/export.

Stephen Raines

The TLLRWDC requested that the Forum develop a working group on the issue because other Compacts have various requirements and issues. Contact the Rules Committee to provide your concerns.

Sunset Advisory Review is on-going and the duties and positions of the TLLWRDC are being considered by the Texas Legislature.

Note that Dan Shrum will be participating in the Decommissioning Forum meeting first part of November and will raise this issue in his panel.

LLW FORUM'S FALL MEETING, OCTOBER 13-14, 2021 - DENVER, COLORADO

Utah Department of Environmental Quality Waste Management and Radiation Control by Doug Hansen, Director

Topics included program challenges related to staffing due to retirements and other organizational changes, Legislative updates affecting workplace and licensing, current licensing actions, and SONGS pressure vessel disposal project.

Staffing Updates and Challenges

- **Division Restructure**
 - Assistant Directors, January 2021
 - Assigned mix of Radiation and RCRA programs
 - Jalynn Knudsen over LLRW
 - Hiring new Director
- **Staffing Changes and Challenges**
 - Hired new staff during pandemic
 - Added two new Environmental Scientists
 - Retirement vacancies (8 months)
 - Training challenges
 - Teleworking and Surge Working
- **Transportation Specialist**
 - Filling due to retirement, posting soon

Depleted Uranium License

- Creation of new cell dedicated to disposal of depleted uranium
- License Application submitted April 9, 2021
- Completeness Review results sent May 13, 2021
- Awaiting resubmittal soon



EPA Update - Jonathan Walsh, CHP, Environmental Scientist General Update and Decision on Phosphogypsum

Ongoing Activities



- Waste Isolation Pilot Plant (WIPP)
 - EPA is reviewing the Department of Energy's fourth Compliance Recertification Application (CRA), submitted in 2019
 - EPA will shortly publish a Federal Register notice announcing its determination that the CRA is complete and the end of the public comment period
 - The Agency will have six months to issue a recertification decision
- Multi-Agency Radiation Site Survey and Assessment Manual (MARSSIM)
 - MARSSIM is a tool for conducting final site surveys after decommissioning or cleanup
 - Revision 2 of MARSSIM is undergoing EPA Science Advisory Board review
 - SAB is operating again after re-constitution by the new administration
 - Public comment period ended September 14, 2021 but will be re-opened
- See <http://www.epa.gov/radiation> for more information

Final Thoughts



- Revisiting the 1992 risk assessments and adding a suite of reviewed calculations was valuable; particularly the comparability of results from differing modeling approaches
- Technical and policy issues associated with the management and of phosphogypsum will continue
 - ~ 1 billion tons of phosphogypsum stacked in Florida, > 30 million tons produced annually
 - 1,800 miles of four-lane highway would be required to divert Florida's annual phosphogypsum production
- Improved management will require creative changes to current business and regulatory paradigms
 - Emerging interest the recovery of rare earth elements
- Policy will be shaped by many factors other than radiological risk, including social and economic concerns
- Phosphogypsum management is worthy of continued study

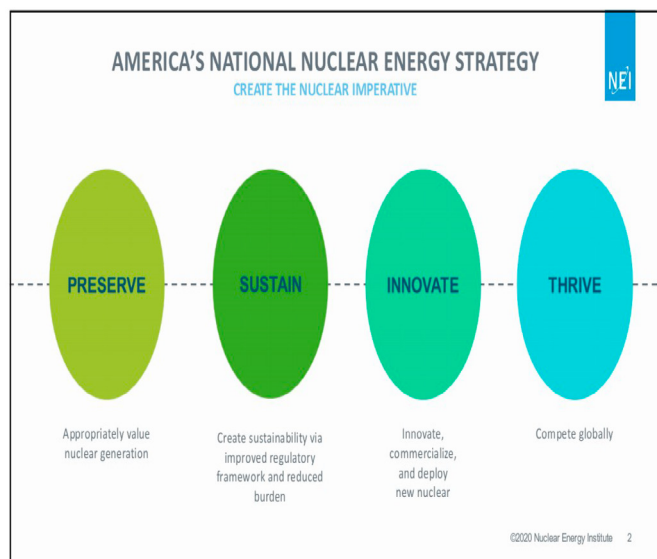
LLW FORUM'S FALL MEETING, OCTOBER 13-14, 2021 - DENVER, COLORADO

NEI Update
General Update on Political Changes

NEI Governmental Affairs
Sean Finnerty
Director of Federal Programs
Governmental Affairs

LEGISLATIVE PRIORITIES

- Market Issues
- NRC
 - Oversight
 - Commissioners
 - Reform
- Used Fuel
- Clean Energy/Climate Change
- Uranium Sourcing and Disposition/Russian Sanctions
- International Trade
- Nuclear Security
- Infrastructure/Stimulus/COVID
- Security/Emergency Preparedness
- Uranium Enrichment
Decontamination and Decommissioning
- Accident Tolerant Fuels/HALEU
- Advanced Technology Research, Development and Demonstrations
- Environmental Justice
- Workforce



Legislative Contacts

Throughout the pandemic, NEI has continued to work with Departments of Energy, State, Treasury, Commerce, and Executive Office of the President, and the Nuclear Regulatory Commission and Committees of importance:

House Committees on Appropriations; Armed Services; Budget; Energy and Commerce; Financial Services; Foreign Affairs; Homeland Security; Natural Resources; Science; Space and Technology; Ways and Means; and Select Committee on the Climate Crisis

Senate Committees on Appropriations; Armed Services, Banking, Housing and Urban Affairs; Budget, Commerce, Science and Transportation; Energy and Natural Resources; Environment and Public Works, Finance; Foreign Relations; Homeland Security and Government Affairs

The changing nuclear power landscape – today

Source: Thomas E. Magette, P.E. , Severn Nuclear Services, LLC, Presented in "Decommissioning Panel" Session

Spent Fuel, Decommissioning and Waste Storage

AG Paxton Challenges Federal Government's Defiance of the Nuclear Waste Policy Act

AUSTIN – Attorney General Ken Paxton filed a lawsuit against several federal agencies for violating the Nuclear Waste Policy Act (NWPA). Since the NWPA's enactment in 1982, the federal government has wholly failed to complete the licensing process for a permanent nuclear waste storage repository at Yucca Mountain, Nevada.

The lawsuit, filed directly in the U.S. Court of Appeals for the 5th Circuit, seeks to force an up or down vote by the Nuclear Regulatory Commission (NRC) on the licensing of Yucca Mountain and to stop the Department of Energy from spending tax dollars on “consent-based” siting. A 2012 court-ordered deadline for a final decision on licensing Yucca Mountain was wholly ignored by the federal government. The Obama administration ignored Congressional requirements, withdrew funding from the Yucca Mountain licensing process, and formed an unlawful Blue Ribbon Commission to identify alternative methods of nuclear waste storage.

“For decades, the federal government has ignored our growing problem of nuclear waste,” Attorney General Paxton said. “The NRC’s inaction on licensing Yucca Mountain subjects the public and the environment to potential dangerous risks from radioactive waste. We do not intend to sit quietly anymore.”

Because the federal government has failed to provide a permanent repository for the nation’s nuclear waste, taxpayers have been tagged with the costs of temporary, above-ground storage of nuclear waste. To date, the federal government has expended \$5.3 billion in taxpayer monies to pay for temporary storage of nuclear waste at reactor sites, and recent estimates suggest the Department of Energy’s remaining liabilities will total \$23.7 billion, all at taxpayer expense. In the meantime, over \$40 billion sits idle in the Nuclear Waste Fund.

See a copy of the petition at [https://www.texasattorneygeneral.gov/sites/default/files/files/press/NWF_Petition_\(Filed_-_03-14-17\).pdf](https://www.texasattorneygeneral.gov/sites/default/files/files/press/NWF_Petition_(Filed_-_03-14-17).pdf)

Source: Texas Attorney General Press Release
<https://www.texasattorneygeneral.gov/news/releases/ag-paxton-challenges-federal-governments-defiance-nuclear-waste-policy-act>

Commercial Spent Nuclear Fuel: Congressional Action Needed to Break Impasse and Develop a Permanent Disposal Solution**What GAO Found**

Congress needs to take action to break the impasse over a permanent solution for commercial spent nuclear fuel—used fuel removed from nuclear power reactors—according to experts GAO interviewed. Specifically, most experts said Congress should (1) amend the Nuclear Waste Policy Act of 1982 (NWPA) to authorize the Department of Energy (DOE) to implement a new consent-based process for siting consolidated interim storage and permanent geologic repository facilities, and (2) restructure the Nuclear Waste Fund to ensure reliable and sufficient funding. Experts highlighted concerns about the effect of the continuing impasse on environmental, health, and security risks; efforts to combat climate change; and taxpayer costs. For example, the amount the federal government will have to pay to owners to store spent nuclear fuel at reactor sites will continue to grow annually.

Recommendations

GAO is making four matters for congressional consideration, including (1) amending the NWPA to authorize a new consent-based siting process; (2) restructuring the Nuclear Waste Fund; and (3) directing DOE to develop and implement an integrated waste management strategy. GAO is also recommending that DOE finalize its consent-based siting process. DOE agreed with GAO’s recommendation.

GAO-21-603

Published: Sep 23, 2021. Publicly Released: Sep 23, 2021.

<https://www.gao.gov/products/gao-21-603>

Appalachian Compact

Delaware • Maryland •
Pennsylvania • West Virginia

Meeting

November 5, 2021 10:00-12:30

This will be a hybrid meeting. In-person location: Harrisburg Hilton, One North Street, Harrisburg, PA 17101. For call-in instruction, see <https://www.dep.pa.gov/Business/RadiationProtection/Appalachian/Pages/Meetings-and-Bylaws.aspx>

Agenda items include:

- Report of the Chairman and Executive Director
- Review of Treasurer's Report for FY 2020-2021 - Rich Janati
- Status of Commercial Low-Level Radioactive Waste (LLRW) Disposal Facilities and Recent Developments - Rich Janati
- Information on LLRW Generation in the Appalachian Compact - Rich Janati
- Correspondence with DOE re Surcharge Funds - Tim Anderson
- Discussion of Proposed Changes to the Bylaws - Tim Anderson
- Report on Activities of LLW Forum - Ed Hammerberg
- Election of Officers - Chairperson
- Adoption of Revised Approved Budget for FY 2021-22 and Proposed Budget for FY 2022-23 - Rich Janati
- See the full agenda at https://files.dep.state.pa.us/RadiationProtection/BureauOfRadiationProtection/BRPPortalFiles/ASLLRWC-2021/1_Commission_Mtg_Agenda_2021.pdf

See budget information at https://files.dep.state.pa.us/RadiationProtection/BureauOfRadiationProtection/BRPPortalFiles/ASLLRWC-2021/8_ACC_Gen-Oper-Fund_proposed-Budget_for_Nov2021.pdf

Atlantic Compact

Connecticut •
New Jersey • South Carolina

Meetings

September 28, 2021, Columbia, South Carolina
Agenda included FY expense report 2021 (July 1, 2020 - June 30, 2021), disposal and Forum updates. The Forum assisted in hosting a hybrid meeting and provided an update during the meeting.

See the agenda at <https://files.constantcontact.com/bcbc90ba801/ed81af55-0bbf-424a-8df4-88701c98a940.pdf> Contact: Max Batavia max@atlanticcompact.org

April 2022

Date to be announced

The Compact has adopted the rate schedule and annual adjustments for FY 2021-2022 as the "Uniform Schedule of Maximum Disposal Rates for Atlantic Compact Regional Waste" See

https://www.atlanticcompact.org/pdf_file_drs/ac67a4d5411e0f3983acb3032ce87618.Rate-schedules-annualadjustments-2021-2022.pdf

Central Midwest Compact

Illinois • Kentucky

Meetings

September 21, 2021

March 29, 2022 - tentatively in Springfield, IL

Contributed by Lori Beagles

The Central Midwest LLRW Compact Commission (CMCC) held its Annual Meeting for fiscal year 2022 on September 21, 2021 in Frankfort, KY.

All the Commissioners were present along with invited guests who joined via Webex Meetings.

Matt McKinley and AJ Bhattacharyya from Kentucky Radiation Control were also present in person.

Officers of the CMCC will remain the same. The CMCC annual audit showed no irregularities and the FY22 budget was presented. Both were approved.

Kentucky and Illinois provided reports on their programs. One item of interest was brought from Chairman McCandless (IL) on the definition change to By-Product material in the Energy Policy Act of 2005 (EP Act) that added 11 e (3) and 11 (e) 4. This modification resulted in the narrowing the definition of low-level radioactive waste that previously existed in the 1985 LLRW Policy Act Amendments.

A full account of the CMCC meeting minutes can be found on the website: <https://cmcompact.org/september-21-2021-cmcc-draft-minutes/>

The CMCC Annual Report is available to view here: <https://cmcompact.org/fy-2021-annual-report/>

The Bylaws and the Investment Policy of the CMCC were also reviewed.

Midwest Compact

Indiana • Iowa • Minnesota • Missouri • Ohio • Wisconsin

Annual Meeting

The Midwest Interstate Low-Level Radioactive Waste Compact Commission held its annual meeting by Teams conference call. Agenda items included:
Review of financial report

Expenses projected for FY 2022

Audit fees for FY 2021 and FY 2022

Website and annual report fees

LLW Forum membership

Adoption of FY 2022 budget

For information, Contact:

Jim Chiles, at jim.chiles@state.mn.us

NRC to Hold Public Meeting to Receive Comments on Duane Arnold Nuclear Plant Decommissioning Activities Report

NRC staff will conduct a public meeting on Sept. 28 at 6 p.m. Central time in Palo, Iowa, to discuss and receive comments related to a decommissioning roadmap report for the Duane Arnold Energy Center. Duane Arnold permanently ceased operations on Aug. 10, 2020.

Source: NRC News Release No: 21-038 September 22, 2021

Contact: David McIntyre, 301-415-8200

Northwest Compact

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

A meeting of the Utah Department of Environmental Quality, Waste Management and Radiation Control Board has been scheduled for October 14, 2021 at 1:30 PM. Contact for more information - telephone (801) 536-0200 or send an email to: dwmrcpublic@utah.gov.

Southeast Compact

Alabama • Florida • Georgia •
Mississippi • Tennessee • Virginia

Hodes Award

The Hodes Award review committee is meeting in late October. The 2022 Richard S. Hodes, M.D. Honor Lecture Award is 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.

Executive Director Selection

The ED selection process is taking longer than anticipated. For information, see <http://secompact.org/slider/southeast-compact-commission/>

NRC Accepts Application For Subsequent License Renewal of St. Lucie Reactors

NRC has accepted for review an application from Florida Power and Light requesting an additional 20 years for the already-renewed operating licenses of St. Lucie Plant Units 1 and 2. FPL submitted its subsequent license renewal application Aug. 3. FPL is seeking a subsequent renewal for the St. Lucie units in Jensen, Florida, approximately 10 miles southeast of Fort Pierce. The NRC approved the initial license renewal in Oct. 2003, with Unit 1 currently licensed to operate through March 1, 2036, and Unit 2 through April 6, 2043.

Source: NRC News Release No: 21-039 September 29, 2021

Contact: Scott Burnell, 301-415-8200

NRC to Hold Virtual Regulatory Performance Meeting to Discuss Supplemental Inspection Results for Grand Gulf Nuclear Power Plant

Nuclear Regulatory Commission staff will discuss the results of a recent onsite supplemental inspection of the Grand Gulf nuclear power plant during a virtual meeting to be held Oct. 4.

Source: NRC News Release No: IV-21-012 September 30, 2021

Contact: Victor Dricks, 817-200-1128

Southwestern Compact

Arizona • California • South Dakota • North Dakota

Meeting

November 2, 2021

0900 PDT

Hyatt Regency- Tahoe Room

1209 L Street, Sacramento, California

Contributed by Kathy Davis, ED

The Fall meeting is scheduled November 2, 2021. At the meeting we will be discussing a final notice to recruit a new Executive Director. I will be staying on to help a new Executive Director. Another important Agenda item is approving a 2022 Petition. It has been several years since the fee was increased. That will be a subject we do need to address in order to maintain a balanced budget. This will be the first "in person" meeting held since 2019.

Agenda items include:

Reports: Status and/or activity from the Commission Chair, Executive Director, Licensing agency, License designee, and Party states

Discussion of Search for New Executive Director
Ratification of approved petitions

Amend "Policy of the Southwestern Low-Level Radioactive Waste Commission Regarding Exportation of Various Low-Level Radioactive Waste Streams" - extend effective date

Amend "Requirements for Exportation Petitions for Low-Level Radioactive Waste Disposal" - extend effective date

Approve new Petition & effective date

Financial Audit Report-Meirs & Miers

Executive session pursuant to CA Gov. Code §11126(a)(1) to discuss staff performance evaluations

Review & approve Exec. Director's & Counsel's contracts

Annual Governor's Report review

Amend Fiscal Year 2020-2021 budget

Approve Fiscal Year 2021-2022 budget

Discuss & Adopt fee schedule

Public comment

Election of officers

To view the full agenda, visit <http://www.swllrwcc.org/display/Programs.asp?NAVID=64>

See complete news release at www.nrc.gov/reading-rm/doc-collections/news/

Texas Compact

Texas • Vermont

Meetings

December 9, 2021

October 28, 2021

September 16, 2021

October 28 agenda items include:

Applications and amendments

Report from Waste Control Specialists

Chairman's report on communications with compacts and Forum, and fiscal and budget updates

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

Rules Committee Report

a. Rulemaking project to amend 31 TAC § 675.24 ("Management Rule")

b. Technical Position Paper by Vice Chair Salsman

c. Other rulemaking projects

Capacity Committee Report

Contingency Plan Committee Report

To view the full agenda, see <http://www.tllrwdcc.org/wp-content/uploads/2021/10/TLLRWDC-AGENDA-October-28-2021-final.pdf>

September 16, 2021 agenda items included items covered in the October 28 meeting as well as a legislative update. Find the link to the agendas and videos at <http://www.tllrwdcc.org/about-the-comission/public-meetings/>

Sunset Advisory Commission Invites Public Input on the Texas Low-Level Radioactive Waste Disposal Compact Commission

The Sunset Advisory Commission is reviewing the mission and performance of the Texas Low-Level Radioactive Waste Disposal Compact Commission ("compact commission") and welcomes public

comments on ideas to improve its operations and services. The Texas Sunset Act requires the Sunset Commission to periodically review the compact commission and recommend changes to state law to improve the compact commission's efficiency and effectiveness. The Legislature ultimately will decide whether to adopt Sunset's statutory recommendations. The Sunset Commission also may adopt management directives for the compact commission that do not require statutory change.

See TLLRWDC Self-Evaluation at https://www.sunset.texas.gov/public/uploads/files/reports/TLLRWDC%20SER_9-01-21.pdf

The Sunset process has three stages. First, Sunset staff will evaluate the compact commission, seek public input, and issue a report recommending solutions to problems found. Second, the Sunset Commission will hold two public meetings: a hearing on the staff report and the agency, and a decision meeting to adopt recommendations to the Legislature based on the report and public comments. Third, the Legislature will convene in January 2023 and will consider Sunset's statutory recommendations in a Sunset bill for the compact commission.

Here are several ways to provide comments and suggestions to Sunset staff on the compact commission's mission, operations, and services:

Send an email to sunset@sunset.texas.gov

- Submit comments online at www.sunset.texas.gov
- Send a letter to Sunset Advisory Commission, Attn: compact commission, P.O. Box 13066, Austin, Texas 78711
- Call (512) 463-1300 to speak to Robert Romig, project manager of the compact commission review

Please provide your comments by February 1, 2022 to ensure Sunset staff can fully consider your input while conducting their review. Comments submitted before the staff report is published in May 2022 will remain confidential.

Nuclear Security

NRC Proposes \$45,000 Fine to Terracon Consultants, Inc.

The Nuclear Regulatory Commission is proposing a \$45,000 fine to Terracon Consultants Inc. of Olathe, Kansas, for five violations of NRC requirements involving the loss of control of a portable nuclear gauge.

Source: NRC News Release No: IV-21-014
October 1, 2021

Contact: Victor Dricks, 817-200-1128

Information Notice IN 2021-02, Recent Issues Associated with Monitoring Occupational Exposure to Radiation from Licensed and Unlicensed Radiation Sources"

See <https://www.nrc.gov/reading-rm/doc-collections/gen-comm/info-notices/2021/>

Radioactive Sources**New Mexico**

"Earthwork Engineering Group (EEG) reported the loss and recovery of a moisture/density gauge (Seaman Nuclear model C-300, serial #21279) that contained a 1.48 GBq (40 mCi) Am-Be source (AEA Technologies model AMNV.997) and a 0.333 GBq (9 mCi) Cs-137 source (AEA Technologies model CDC.800). The gauge was out of EEG's control for between 20 and 30 minutes."

South Carolina Department of Health and Environmental Control

A truck containing a portable density gauge had been stolen from the side of the road on Meeting Street in Charleston, SC. The gauge was a Troxler Model 3440 s/n 38444 containing 8 mCi of Cs-137 and 40 mCi of Am-241:Be.

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

Florida

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. Source details: Cf-252, 5.16 microCuries (S/N: N7- 402); Co-57, 75.44 microCuries (S/N: 2187-53-6); Co-60, 9.3 microCuries (S/N: 2185-40-6); Ba-133, 6.7 microCuries (S/N: 1794-56-5); and Cs-137, 6.79 microCuries (S/N: 1288-76-5).

New Jersey

A car was stolen from a personal residence while containing radioactive material. They found their vehicle on the street and the gauge was still secured in the vehicle with no signs of being tampered with." Troxler portable gauge, Model 3430, S/N 20606 containing 9 mCi of Cs-137 and 44mCi of Am/Be-241.

Massachusetts

Reported missing was a 5 millicurie Cs-137 sealed source.

Washington

University of Washington Radiation Safety concluded that it was unable to locate two Gd-148 sources with activity totaling 0.0882 microCi and one Am-241 source with activity 0.982 microCi.

Utah

Local heavy rain infiltrated the Merrill Engineering Building, causing flooding on the first and third floors. The first floor also included some radioactive materials labs. While stripping the labs on September 9, 2021, in preparation for repair, the contractor violated policy and failed to notify the lab owners before moving material from the lab. Included in the material removed from the lab was a safe containing 13 exempt calibration

Nuclear Security

sources and one 0.006 milliCurie U-235 ceramic source. The safe was moved to an onsite trailer that was under control of the contractor and not the University. When the lab owner returned to the lab later in the day they immediately reported the sources missing. The sources were out of the licensee's exclusive control for 1 to 3 hours."

Indiana

The licensee reported that two small sealed sources (Ge-68, roughly 0.7 mCi each) were discovered to be missing from a mobile PET-CT coach that was parked at a location in Rensselaer, IN. This coach was being refurbished at this site. The sources were discovered missing by a service engineer working on the PET-CT unit on 9/13/2021. The entire facility was thoroughly searched with a GM survey meter and the sources could not be located.

RADIOACTIVE MATERIAL LEFT AT RECYCLING CENTER

Maryland Department of the Environment Radiological Health Program (MDE/RHP) was contacted via telephone by the Operations Manager of the Montgomery County Shady Grove Transfer Station and Recycling Center located at 16101 Frederick Rd, Derwood, Maryland 20855 that a "B17 Bomber", radioactive material was thrown into a scrap metal bin. The MDE/RHP responded the same day and investigated the "B17 Bomber", which was later identified as Sextant Bubble Type (with Altitude Averaging Device) AN-5851-1, Part number 3014-1-B and Serial Number AF-42-0676, Contract number AC-26968 and manufactured by Bendix Aviation Corporation navigation instrument which contain Radium - 226 source with estimated nominal activities of 2 microcuries.

Tritium Exit Signs

New Mexico

This incident involved a double sided (2 sign faces) tritium exit sign. Specific details of the sign are: Radioactive Material: Tritium (H-3), Quantity: 7.5 Ci per sign face, Chemical and Physical form: Gas, Manufacturer: Sign Tex Inc.

Colorado

"Two exit signs, containing 7.09 Ci of tritium each, were reported as lost during annual registration. The owner recalled that the signs had been removed many years ago."

High Level Waste

China Begins Construction of its First Underground Research Laboratory for High Level Waste Disposal

China has begun constructing its first underground research laboratory in the Gobi Desert, to determine the area's suitability for future geological disposal of high level radioactive waste (HLW), including spent nuclear fuel, generated in China's 51 operational nuclear power plants. Its construction follows more than three decades of research with the support of the IAEA. Scientists will use the laboratory to characterize and assess the geological, hydrological, geochemical and engineering characteristics of the rocks at the site.

Source: IAEA

<https://www.iaea.org/newscenter/news/china-begins-construction-of-its-first-underground-research-laboratory-for-high-level-waste-disposal>

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/

Information Resources

- DOE Public Affairs/Press Office - 202/586-5806
- DOE Distribution Center - 202/586-9642
- EPA (for program information, publications, laws and regulations) www.epa.gov
- EPA Information Resources Center - 202/260-5922
- EPA Listserve Network Contact Lockheed Martin EPA Technical Support at (800) 334-2405 or email (leave subject blank and type help in body of message) 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
- U.S. Government Printing Office (GPO) (for the Congressional Record, Federal Register, congressional bills and other documents, and access to more than 70 government databases) <http://www.access.gpo.gov>
- U.S. Senate Document Room - 202/224-7860
- Variety of documents through numerous links at LLW Forum, Inc. at www.llwforum.org

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