

No. 93-84
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FOR IMMEDIATE RELEASE
(Wednesday, June 23, 1993)

NRC CHANGES REGULATIONS ON LOW-LEVEL RADIOACTIVE WASTE DISPOSAL

The Nuclear Regulatory Commission is amending its regulations on disposal of commercial low-level radioactive waste to clarify that the regulations apply to the licensing of above-ground disposal facilities, such as above-ground vaults, as well as to the existing below-surface methods.

Above-ground facilities are on or protrude through the earth's surface without an earthen cover. Some states have indicated a possible interest in these alternative disposal methods for new low-level radioactive waste disposal facilities.

Part 61 of the Commission's current regulations established the basic framework for licensing land disposal of low-level radioactive wastes. Because the specific technical requirements and focus of the regulation were on near-surface disposal, the current wording of Part 61 has been interpreted as limiting the applicability of the regulation to disposal facilities that are covered with earth. However, no endorsement of a particular technology was intended.

The NRC is not providing in these amendments either technical criteria or guidance for above-ground disposal designs analogous to those for in-the-ground disposal currently in the regulations. It is expected that, if NRC receives an application for above-ground disposal, criteria will be developed on a case-by-case basis. However, whether a low-level waste facility is in the ground or above ground, it still will have to meet the performance objectives in the current regulations to ensure safe operation and closure of the facility.

The amendments also correct Part 61 to require an applicant for a low-level radioactive waste disposal facility to develop a "quality assurance" program for the facility, consistent with original NRC staff intentions, rather than a "quality control" program as was previously required. Quality assurance is a broader term that encompasses quality control and also includes managerial controls and audits.

The revisions that NRC is adopting to Part 61 at this time are similar to those recommended in a proposed rule that was issued on March 6, 1992. Minor changes were made as a result of the comments received.

The amendments will be effective on July 22, 1993 (30 days after publication in the Federal Register on June 22, 1993).

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