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NRC CHANGES REGULATIONS TO ALLOW
COMPACTED WASTE TO RETURN TO REACTOR SITES

The Nuclear Regulatory Commission is amending its regulations to allow nuclear reactor licensees to receive back at the reactor site low-level radioactive waste that was generated at the site but sent offsite for compaction or incineration to reduce the waste's volume.

The amendment is needed primarily because of changing circumstances surrounding the treatment, storage and disposal of low-level radioactive waste at nuclear power plants; however, the amendment applies to all reactor (power and non-power) licensees.

When the current operating licenses for nuclear power plants were issued, low-level radioactive waste was being sent directly offsite for disposal in a low-level radioactive waste disposal facility. Therefore, the operating license did not authorize nuclear power plant operators to receive nuclear material (including waste) except in the form of fuel for use in the reactor or in the form of sealed radioactive sources for analysis, calibration or other special purposes; or if the nuclear material was associated with radioactive apparatus or components, such as contaminated pumps or tools. Thus, under current operating licenses, reactor licensees may send low-level radioactive waste offsite to another licensee for treatment (such as compaction or incineration), but may not receive the treated waste back at the nuclear power plant site.

Under milestones established in the Low-Level Radioactive Waste Policy Amendments Act of 1985, access to the currently-operating low-level radioactive waste disposal facilities may not be available to all waste generators beginning January 1, 1993. As a result, some nuclear power reactor licensees may have to store their low-level radioactive wastes, temporarily, until regional compact or state sites are available for waste disposal.

Power reactor licensees frequently need to have a separate company perform volume reduction or waste treatment services at another location. However, the licensee providing these offsite services may not have adequate licensed capacity for storing the

waste until disposal capacity is available and may need to return it to the nuclear power plant where it was generated.

In addition, the legal relationships between states and regions established under the Low-Level Radioactive Waste Policy Act of 1980 may require the return of compacted or incinerated waste to the nuclear power plant where it was generated in order to ensure that the waste is disposed of at the geographically-appropriate disposal facility.

Since the Commission does not look favorably on long-term onsite storage, the proposed amendment is intended to ensure that licensees will have adequate, short-term, onsite storage capacity for self-generated low-level radioactive waste until permanent disposal capacity is available.

The Commission expects licensees to ship generated wastes to disposal sites to the extent possible. Storage of low-level radioactive waste should be used only for the short-term management of the waste when disposal is interrupted or unavailable.

A proposed rule on this subject was published in the Federal Register on April 24, 1992. Some commenters pointed out that wastes generated at a site with multiple operating reactors are often commingled, and therefore one unit's waste cannot be differentiated from an adjacent unit's waste when the waste is shipped offsite for treatment. These commenters argued that the proposed rule, if strictly interpreted, would not allow a reactor licensee to receive back processed waste containing waste from another reactor located at the same site.

The Commission agrees that the rule should permit radioactive waste from multiple reactors of one licensee at a particular site to be received back under the license of any of the reactors at that site. Therefore, the Commission has revised the final rule to clarify that this is permitted.

The amendments to Part 50 of the Commission's regulations become effective on effective on November 20, 1992.