



# ***NRC NEWS***

**U.S. NUCLEAR REGULATORY COMMISSION**

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## **NRC SEEKS COMMENT ON STORAGE OF CERTAIN “GREATER THAN CLASS C” WASTE IN AN INDEPENDENT SPENT FUEL STORAGE FACILITY**

The Nuclear Regulatory Commission is seeking public comments on a proposal to amend its regulations to allow storage of reactor-related “greater than class C” radioactive waste (generated by or used in a reactor) in an independent spent fuel storage installation.

“Greater than class C” waste is a form of low-level radioactive waste with high enough concentrations of long-lived radioactive materials that generally make it unsuitable for near-surface land disposal. It is so named because its radioactivity exceeds the concentration limits established for class C, the most hazardous type of low-level waste which can be routinely buried in a low-level waste disposal facility.

Greater than class C wastes at nuclear power plants include irradiated metal components from reactors such as core shrouds, support plates, and core barrels, as well as filters and resins from reactor operations and decommissioning. Unlike other low-level wastes which may be disposed of in near-surface facilities, greater than class C waste must be disposed of in a geologic repository unless other disposal is approved specifically by the NRC. Currently the authority to possess this type of radioactive material is included under the reactor license.

The proposed rule amendment for which NRC is seeking comment responds to a 1995 petition for rulemaking from the Portland General Electric Company. The utility anticipated it would need the authority to store greater than class C waste from its Trojan nuclear plant -- now being decommissioned -- in an independent spent fuel storage facility pending its transfer to a permanent waste disposal facility. As part of the decommissioning process, Portland General Electric Company planned to terminate its reactor (10 CFR Part 50) license and use its site-specific 10 CFR Part 72 license for storage of its spent fuel and remaining greater than class C waste. Public comments on that petition supported such a rule revision.

NRC believes the proposed revision is necessary because (1) current requirements do not adequately address storage of reactor-related greater than class C waste; and (2) existing regulations raise jurisdictional issues regarding NRC and Agreement State authority over reactor-related greater than class C waste storage activities.

The NRC believes the proposed action would simplify the licensing process and increase regulatory efficiency, with no adverse effect on public health and safety.

Currently, after a reactor license is terminated, Agreement States assume jurisdiction over all reactor-related waste except spent nuclear fuel. Under the proposed change, reactor-related greater than class C waste would remain under NRC jurisdiction. (An Agreement State is a state which, by formal agreement with the NRC, has assumed regulatory responsibility over byproduct, source and small quantities of special nuclear material.)

The agency anticipates that in nuclear power plant decommissioning the proportion of greater than class C waste would be small in comparison to the amount of spent fuel stored at these facilities.

As indicated in a Federal Register notice on this subject, interested persons are invited to submit comments by August 30 to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff. Comments may also be submitted through the NRC's website, at <http://ruleforum.llnl.gov/cgi-bin/rulemake>.

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