Mr. David Lochbaum
Union of Concerned Scientists
1707 H Street, NW
Suite 600
Washington, DC 20006-3919

December 5, 2001

Dear Mr. Lochbaum:

I am responding to the May 3, 2000, petition for rulemaking you filed on behalf of the Union of Concerned Scientists. The petition requested that the NRC regulations governing requirements for renewal of operating licenses for nuclear power plants be amended to address concerns about potential aging degradation of liquid and gaseous radioactive waste systems. This petition for rulemaking was submitted in conjunction with a Hatch Nuclear Plant petition pursuant to 10 CFR 2.206 and a request that the NRC issue a generic communication. These two requests were dispositioned as separate actions.

The NRC published a notice of receipt of the petition and request for comment in the *Federal Register* on July 10, 2000 (65 FR 42305). Subsequently, the NRC received letters from 12 commenters.

The petition requests the NRC to revise 10 CFR Part 54, and Part 51 if appropriate, to specify that the liquid and gaseous radioactive waste management systems must be covered by aging management programs during the license renewal term. With respect to 10 CFR Part 54, the petition states that potential aging degradation of the radioactive waste management systems may increase the probability of and/or consequences of design and licensing bases events. For applicability to 10 CFR Part 51, the petition states that aging degradation of the radioactive waste management systems could lead to an increase in exposures that invalidates the conclusions of Appendix B to 10 CFR Part 51, Subpart A, that radiation exposures to the public and occupational exposures to workers during the license renewal term will continue at current levels below regulatory limits.

In its analysis of the petition, the NRC carefully considered the information in your letter and the current regulatory process for the liquid and gaseous radioactive waste management systems as they relate to the petition. The NRC has concluded that your petition should be denied because (1) the liquid and gaseous radioactive waste management systems are not involved in design and licensing basis events considered for license renewal and (2) the NRC has regulatory requirements and licensees implement programs and practices that provide reasonable assurance that exposures to radiation will remain within permissible levels consistent with applicable regulations. These levels have been determined by the Commission to represent “small” environmental consequences.

A detailed discussion of the NRC's reasoning in this matter is given in the enclosed Notice of Denial of Petition for Rulemaking, which will be published in the *Federal Register*.

Sincerely,

/RA/

William D. Travers
Executive Director
for Operations

Enclosure:
Notice of Denial of Petition
for Rulemaking

A detailed discussion of the NRC's reasoning in this matter is given in the enclosed Notice of Denial of Petition for Rulemaking, which will be published in the *Federal Register*.

Sincerely,

/RA/

William D. Travers
Executive Director
for Operations

Enclosure:
Notice of Denial of Petition
for Rulemaking

Letter of Denial Accession No.: ML013040409
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