



# NRC NEWS

**U.S. NUCLEAR REGULATORY COMMISSION**

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No. 03-027

March 10, 2003

## **NRC SEEKS PUBLIC COMMENT ON POTENTIAL REGULATION ON CONTROL OF SOLID MATERIALS CONTAINING NO OR VERY SMALL AMOUNTS OF RADIOACTIVITY**

The Nuclear Regulatory Commission is seeking additional public comment on alternatives for controlling the disposition of solid materials that originate in certain areas of NRC-licensed facilities and that may contain no or very small amounts of radioactivity resulting from licensed operations.

NRC staff will hold a public workshop on May 21-22 at its headquarters building in Rockville, MD, to discuss alternative approaches addressed in earlier public sessions, with a focus on the feasibility of two alternatives that would limit where solid material can go. To further assist stakeholders, the staff has placed on its website an Information Packet that discusses the various alternatives under consideration and how interested persons can provide comments to the NRC. This website is located at <http://www.nrc.gov/materials.html>; click under Key Topics on "Controlling the Disposition of Solid Materials."

The solid materials under consideration include items such as furniture and ventilation ducts in buildings; metal equipment and pipes; wood, paper and glass; laboratory materials (gloves, beakers, etc.); routine trash; site fences; concrete; soil; or other similar materials. Much of this solid material has either no, or very small amounts of, radioactivity resulting from facility operations either because the material was exposed to radioactivity to only a limited extent or because it has been cleaned. Under existing NRC regulations, materials that contain more appreciable levels of radioactivity are separated from these other materials and are required to be disposed of in licensed low-level waste (LLW) disposal sites.

Current regulations in 10 CFR Part 20 allow solid materials to be released for unrestricted use if they are free of radioactivity or any detectable radioactivity is below a level considered to be protective of public health and safety and the environment. However, current regulations do not specify the precise level below which the material can be released. The NRC's current approach uses guidelines based primarily on the ability of survey meters to measure the radioactivity level on, or in, the solid material.

Last fall the Commission directed the staff to proceed with a rulemaking that considers a range of alternatives. Five alternatives have been identified, as outlined in a notice published February 28 in the *Federal Register*. They are:

1. Continue NRC's current case-by-case approach of allowing release of solid materials for unrestricted use based on existing guidance on survey capabilities.
2. Amend NRC's regulations to include a dose-based criterion for release for unrestricted use.
3. Allow release for "conditional use," restricted to certain authorized uses with limited public exposures, such as metals in bridges, sewer lines, or industrial components in a factory, or concrete in road fill.
4. Require disposal in an EPA-regulated landfill.
5. Require disposal in a licensed LLW disposal site.

Earlier requests for information on this issue generated substantial information on alternatives 1, 2 and 5; however, additional information is needed on the feasibility of alternatives 3 and 4, the conditional use and landfill disposal options. The Commission is building on this existing information by soliciting new input on the alternatives, with a focus on the feasibility of alternatives 3 and 4.

The public workshop will be held May 21-22 from 8:30 a.m. to 5:00 p.m., in the NRC Auditorium, 11545 Rockville Pike, Rockville, Maryland.

The NRC is also inviting written or electronic comments by June 30. Comments should be sent to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Attention: Rulemaking and Adjudications Staff. Comments may also be delivered to 11555 Rockville Pike, Rockville, Maryland, between 7:30 a.m. and 4:15 p.m. on Federal workdays. Comments may also be submitted electronically via the NRC's web page, using the Information Packet noted earlier or via the agency's rulemaking website at <http://ruleforum.llnl.gov> (then select "Information/Comment Requests" from the left-hand column). For information about the interactive rulemaking web page, contact Ms. Carol Gallagher, 301-415-5905 ([cag@nrc.gov](mailto:cag@nrc.gov)).

For further information, contact Frank Cardile, Office of Nuclear Material Safety and Safeguards, at 301-415-6185 ([fpc@nrc.gov](mailto:fpc@nrc.gov)). Specific comments on the public workshop should be directed to Chip Cameron, at 301-415-1642 ([fxc@nrc.gov](mailto:fxc@nrc.gov)).

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