



FRAMATOME ANP

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An AREVA and Siemens company

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Secretary
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**OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF**

ATTN: Rulemaking and Adjudications Staff

Subject: Controlling the Disposition of Solid Materials

Gentlemen:

Framatome ANP (FANP) appreciates the opportunity to comment on the NRC's rulemaking regarding controlling the disposition of solid materials. This is an extremely important issue at FANP. Although the recent workshop was principally focused on alternatives 3, 4, and 5, all the alternatives were discussed. Therefore, FANP will express its views on each of the alternatives.

Alternative 1 - No action alternative: FANP believes the existing system is useful and protective of the public health. Therefore, it is not imperative that this system be changed. However, the current system could be improved by going to a dose rate-based system, which would be more logical and consistent.

Alternative 2 - Dose-Based Regulations on Unrestricted Use: As stated above, this system would be more logical and consistent than the no action alternative. Such a system would reduce the need for license amendments to address the release of volumetrically contaminated solids, thus saving both licensee and NRC resources. FANP supports the adoption of the ANSI N13.12 standard which is based upon 1 mrem/year dose rate. This dose rate is considered trivial by prestigious scientific groups such as the ICRP and the NRCP and is consistent with standards accepted by many countries in the European Economic Community. It is essential to have standards that allow materials/objects with trivial amounts of radioactivity to be removed from contaminated areas. Tools and equipment, and objects such as eyeglasses, wrenches, and tractors, cannot be brought into a contaminated area and then either stored there indefinitely or used only once and then discarded.

FANP is aware of the steel and other metal recyclers' concerns. Although they seem to readily admit that there isn't a safety issue, they are concerned about a possible customer perception. It would seem that a possible compromise is to allow equipment/objects to be released for reuse (as that same object) from contaminated areas if they meet the dose-based criterion. However, these materials could not normally be released with the intention of being sent to a recycler. An exception would be when the licensee applied to and received approval from the NRC to specifically send such materials to a recycler. Obviously, a tool released for reuse could eventually make its way to a recycler. However, it would be on a small scale that it would have no impact at the recycling center or future applications of the recycled materials.

As the steel industry stated slag is a safe product, that it readily sells now, and for which there is no apparent perception problem, another possible compromise may be to set special limits for recycled metals to dose rates typical of the dose rates a member of the public could receive from slag.

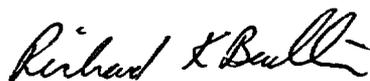
The metals industry desire to have no metal objects released from contaminated areas can not be realized. People walk into contaminated areas with glasses with metal frames or with clip boards. Are these to be never released? Another problem is there is no endpoint. If trucks were to haul waste containers which came from contaminated areas to licensed disposal sites or to carry nuclear fuel to reactors, are the trucks never to be used again because there was a possibility of contamination?

Alternative 3 - Conditional Release: FANP believes that this is a viable alternative. However, this will likely be treated on a case-by-case or situation-by-situation basis, similarly to the way it is currently done. This would be pursued when the contamination limits exceed the generic limits, but would still result in a low dose to a member of the public.

Alternatives 4 and 5 - Disposal at RCRA subtitle C and D sites: FANP favors permitting disposal at RCRA subtitle C sites. These sites are built for hazardous waste and appropriately monitored. Monitoring may need to be slightly altered to ensure that radioactivity is contained, but it is likely that the chemical constituents could be used as a surrogate for the radioactivity. Use of subtitle C sites for slightly radioactive material would save valuable room at NRC licensed disposal sites for higher levels of radioactive contaminated materials. It may be appropriate to dispose of contaminated waste at RCRA subtitle D sites (often called dumps), but FANP believes this should be with the approval of the NRC on a case-by-case or situation-by-situation basis. The dose rate criteria could be such that under the scenarios appropriate for such sites the resulting dose would be less than 1 mrem/year to the average member of the critical group.

Again FANP thanks the NRC for the opportunity to comment on these issues.

Very truly yours,



Richard K. Burklin
Manager, Radiation Protection

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