



Southeast Compact Commission
for Low-Level Radioactive Waste Management

States Working for Responsible Waste Management

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June 30, 2003

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Secretary
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

ATTN: Rulemakings and Adjudications Staff

SUBJECT: Comments on "Rulemaking on Controlling the Disposition of Solid Materials: Scoping Process for Environmental Issues and Notice of Workshop" (68 Fed. Reg. 9595, dated February 28, 2003)

This letter provides comments of the Southeast Compact Commission on the Nuclear Regulatory Commission (NRC) proposal to conduct rulemaking for controlling the disposition of "solid materials" regulated under the Atomic Energy Act, as described in the subject *Federal Register* notice.

The Commission recommends that the NRC proceed with rulemaking to establish a dose-based standard for the safe release of "solid material". NRC should develop implementing guidance that endorses ANSI/HPS N13.12-1999 for licensee use in implementing the rule and allows for the continued use of current survey and measurement methods that are adequate to assure regulatory release criteria are met. The rulemaking should not displace specific approvals for disposition of "solid materials" previously deemed safe and approved by the NRC or its Agreement States.

The Commission also recommends that NRC coordinate the rulemaking with appropriate international, Federal and State organizations to assure compatibility with related national and international standards and prevent unnecessary impacts upon commerce.

Sincerely,

Kathryn V. Haynes
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