Meeting Report

DATE:           January 30, 2008
TIME:           9:30 A.M. – 12:00 P.M.
PLACE:           U.S. NRC Headquarters T 9A01
PURPOSE:          To Identify and Discuss Transition Planning Issues Related to the Long-Term Storage of Low-Level Radioactive Waste (LLRW)
CATEGORY:           Category 2. Public may attend and participate at designated times.

BACKGROUND:

The U.S. Nuclear Regulatory Commission (NRC) staff has recently conducted a series of meetings with the Nuclear Energy Institute (NEI), open to the public, regarding the preparation of guidance for licensees related to the likely need for long-term storage of some low-level radioactive waste. At the last such meeting, held November 15, 2007, it was mutually agreed that the discussions should be held on a regular basis, broadened in range of topics and include the interests of materials and fuel cycle licensees as well as nuclear utility licensees. The meeting reported on herein was intended to provide opportunities to identify and begin discussion of issues related to licensee transitioning to some non-discretionary storage of certain classes of LLRW with the limitation in access to the Barnwell LLRW disposal facility beginning July 1, 2008. NRC’s objective is to update its regulatory program to help ensure that LLRW can be safely and securely stored for the potentially extended periods that may be necessary after the Barnwell facility closes to most U.S. generators. This objective is to be achieved by updating existing storage guidance for materials and fuel cycle licensees, reviewing and ultimately endorsing NEI guidance for nuclear power reactor licensees, and updating its inspection program. NRC will also coordinate these efforts with Agreement States.

DISCUSSION:

The meeting included industry representatives, the media, and (by teleconference) members of the public. Scott Flanders, Deputy Director, EPPAD provided a brief summary of previous meetings with NEI/EPRI and suggested that the present meeting was an opportunity to identify issues important to long-term storage of LLRW by all types of licensees. NRC staff had a brief topics list to prompt discussion. However, all participants were invited to introduce topics.

Phung Tran, Electric Power Research Institute (EPRI), provided a brief update on NEI/EPRI guidance on LLRW storage that will soon be submitted for formal NRC review. Mr. Ralph Andersen, NEI, added that submittal is anticipated by the end of February. Summary discussion of previous EPRI presentations related to waste clarification
analysis and operations practices to reduce Class B and C waste were tabled in the interest of time. (These slide presentations are available in ADAMS at ML072850756.)

There was some discussion related to the regulatory status of the “five year limit” guideline for LLRW storage. It was agreed that the issue should be addressed and regulatory position clarified in new or revised guidance.

The utility industry is seeking clarification of incremental security requirements for waste stored outside of the “Protected Area.” While the immediate question relates to storage by utilities, it may have broader implications for other types of licensees.

The industry is also interested in criteria for actions related to LLRW storage that may trigger a 10 CFR Part 50.59 (50.59) review. Elaine Keegan, Nuclear Reactor Regulation (NRR), noted that the 50.59 process is not geared for LLRW storage but that NRR would look into developing or supplementing guidance on the subject. Others present suggested that activities associated with LLRW probably wouldn’t rise to the threshold of a 50.59 review.

NRC staff raised the question of inspector needs and expectations given the variety of circumstances associated with LLRW storage. DWMEP staff will work with NRR to coordinate work on inspector guidelines and inspection procedures.

The concept of storage for extremely long-time horizons was discussed in the context of current considerations within the international community. Mr. Andersen suggested the possibility of indefinite storage of byproduct waste (e.g. Cs 137) with no ultimate path for disposal as radioactive waste, but, instead, allowing the waste to decay and later be managed as non-radioactive waste.

Bill Dornsife, Waste Control Specialists, noted that Texas regulations for storage and processing have requirements that the licensee must be able to disposition waste. However, the regulations contain no specific limit for storage time.

It was noted by NEI that long-term storage creates the need for modifications in recordkeeping and materials tracking.

Mr. Dornsife suggested the need for increased financial assurance for materials licensees who may be storing waste indefinitely.

Because of a conflict with another meeting, representatives of materials licensees were unable to attend. It was agreed that an early scoping meeting with materials licensees as well as other stakeholders to ensure that any incremental issues related to long-term storage all types licensees was appropriate. The meeting would be followed by general meeting to address security issues.

Ralph Andersen, NEI, noted the importance of accessibility of information to those not in attendance and posited the need for innovative ways to capture and share information. Larry Camper, Director, DWMEP, agreed that proper and complete communication of guidance on LLRW storage was crucial to the success of the effort.
ACTIONS:

1. NRC staff to identify and engage representatives of other long-term LLRW storage stakeholders to include in an issue scoping meeting. The meeting should occur by mid-March.

2. NRR and DWMEP staff to collaborate on revision of inspection procedures necessary for inspectors to verify the adequacy of various LLRW storage circumstances.

3. NRR to evaluate the need for guidance, as necessary, re: applicability of 50.59 process to evaluation of long-term storage of LLRW.