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“Can We Expand Low-Level Radioactive Waste Disposal to Resource Conservation and Recovery Act Hazardous Waste Facilities?”

Prepared Statement for

**The Honorable Gregory B. Jaczko
Commissioner
U.S. Nuclear Regulatory Commission**

at a

**Public Meeting with the Advisory Committee on Nuclear Waste & Materials
Rockville, Maryland**

February 13, 2008

I want to thank the Advisory Committee on Nuclear Waste & Materials for inviting me to today’s meeting to engage in a dialogue on the very important issue of low-level radioactive waste management and disposal. Over the past 20 years several reports have been written concerning low-level waste disposal and the Nuclear Regulatory Commission staff completed its strategic assessment of low-level waste back in October 2007. All of these reports and assessments have concluded that we need solutions to better manage and dispose of low-level waste. While there is no looming crisis, I believe now is the time to look for solutions to address the needs that have been identified.

One of the reasons why this issue is important to me in my role as a Commissioner is that I believe challenges related to low-level waste disposal impact the Commission’s decisions about decommissioning reactor and materials facilities. The fact is that all of the facilities licensed by the NRC will at some point cease operations and be decommissioned. These decommissioning

activities will generate large amounts of low-level radioactive waste, in particular, Class A waste.

I believe alternative solutions will be needed. This is especially true with Barnwell Waste Management Facility, scheduled to close by July 2008, and with the coming need to dispose of large quantities of power plant and materials facilities decommissioning wastes, including waste from enrichment activities. Recently the state of Colorado, under its NRC Agreement State authority, issued a radioactive materials permit to Clean Harbors to allow for limited disposal of certain low-activity waste at its Deer Trail facility. The decision by the state regulator to issue both a RCRA permit and a radioactive materials permit is one example of the potential of RCRA sites to safely accept some radioactive waste.

Thus, the important discussion taking place at this meeting is whether the science and engineering behind RCRA hazardous waste sites supports a more broad application of the use of these facilities. A question I hope is answered through your efforts here today, is whether these RCRA facilities, given their current design or through some modifications, could be easily licensed by the NRC or Agreement States to accept the waste from sites that are undergoing decommissioning.

An important aspect of looking at various solutions for low-level waste disposal is garnering public support in the process. If the science and engineering demonstrate that additional RCRA hazardous waste facilities, as designed or modified, can support the safe management and disposal of these wastes, then we will need input from, and the support of, the public to implement such an alternative.

This concludes my remarks and I will be happy to answer any questions you may have.

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