



NRC NEWS

U.S. NUCLEAR REGULATORY COMMISSION
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No. S-09-003

“Public Confidence Needed for Successful Low-Level Waste Management”

Prepared Remarks for

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

at the

Waste Management '09 Conference
Phoenix, AZ

March 2, 2009

I am glad to be with you for my first Waste Management Conference. During my four years on the Commission I have focused a good deal on waste issues, and I believe this conference brings together many important stakeholders. Before I go too far, I should mention that I am sharing my views as one of the Commissioners of the Nuclear Regulatory Commission.

I firmly believe it is important that the generation, management, and disposal of low-level waste be done in a manner that has the confidence of the public. The only way to gain that confidence is to have an honest and open debate that ensures the public understands these issues. More than just understanding the issues though, the public and affected communities have to be directly involved in the decisions being made. This point is clear because this lack of public confidence has contributed directly to the lack of low-level waste disposal options. I have some specific examples I want to go over to illustrate my thinking today.

The first example is an issue which always seems to come up with respect to low-level waste: the question of whether we need to risk-inform 10 CFR Part 61 of the NRC's regulations. In many ways, the classification system is already risk-informed. When people say “risk-inform Part 61,” what they usually mean is updating the analysis to use more modern and improved techniques and tools, and it usually comes up in the context of decreasing regulatory oversight for very low-risk material.

However, if we don't have public confidence, redoing Part 61 becomes very difficult. The public has to understand why any new classification system is better and not less protective. Because we need that public confidence, which I'm not sure we have right now, simply 'risk-informing' Part 61 is not necessarily the solution to our waste disposal challenges.

Another important point that I would like to make is that radioactive waste disposal is not an industry unto itself. People often talk about the waste without talking about the beneficial activities that generated the waste, such as providing power for thousands of homes, or allowing for medical research and treatment. I do not believe that waste disposal should be talked about in isolation from the activities that generated the waste, because the two go hand-in-hand.

Take decommissioning for instance. Cleaning up a power reactor site to a greenfield status is a great example of environmental stewardship. However, if there is no disposal path for the waste, then complete decommissioning may not be a viable option. These are the types of conversations that we need to have with the people living near decommissioning sites and with the people living near potential disposal sites.

One potential solution to low-level waste disposal challenges that has been raised is whether waste streams should be blended in order to change the classification of that waste and increase the likelihood of disposal. The idea behind this proposal is that a small quantity of more radioactive material can be combined with a large quantity of less hazardous material – and the resulting material would be overall less hazardous in concentration.

It is long-standing policy of the Commission, however, that mixing should not be done for the sake of changing the classification of the waste. The staff is currently looking at this idea and will be giving some options to the Commission. This is something that I will give a lot of thought to, but my initial perspective is that blending should only be considered after a careful analysis of any effects on public health and safety. It should also increase the confidence of the public, or it ultimately won't be successful as a waste management approach, regardless of whether it's shown to meet minimum technical standards.

Finally, I wanted to touch on a specific waste stream that is a challenge – depleted uranium. As licensees work to bring new enrichment facilities on line, the management and disposal of depleted uranium has become an important issue, because these types of facilities generate large quantities of this waste. Depleted uranium is currently classified as the least hazardous radioactive material, or 'Class A' waste. This is because a section in Part 61 states that any radionuclide not listed in the classification tables in the regulation is to be considered Class A waste – and depleted uranium was not included.

Now, depleted uranium wasn't left out of the classification tables because it is not risk significant. Rather, it was omitted because in the early 1980s when this rule was being established, there was not a large commercial waste stream containing this material. A few months ago, the NRC staff sent a paper up to the Commission along with a technical analysis regarding alternatives for addressing depleted uranium. The staff recommended that the agency leave depleted uranium as Class A but require a site-specific analysis to evaluate its unique characteristics and ensure that its disposal is safe.

Whatever approach the Commission ultimately decides on, I believe we should be searching for a resolution that enhances – not diminishes – public confidence. I am hopeful that the Commission will come up with an effective plan for disposal of depleted uranium.

Thanks again for the opportunity to be here today. We face many challenges in the area of low-level waste management and I have attempted to highlight a few of them. I am confident, however, that by engaging all stakeholders and working together, we can find the best public health and safety solutions to these challenges. I look forward to continuing to engage with you on these issues and I would be pleased to answer any questions you may have.