



UNITED STATES
NUCLEAR REGULATORY COMMISSION
ADVISORY COMMITTEE ON NUCLEAR WASTE
WASHINGTON, D.C. 20555

February 25, 1992

Mr. Robert M. Bernero, Director
Office of Nuclear Material Safety
and Safeguards
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Bernero:

SUBJECT: PROPOSED RULEMAKING ON EPA HIGH-LEVEL WASTE STANDARDS

During its 40th meeting, February 20-21, 1992, the Advisory Committee on Nuclear Waste met with representatives from the U.S. Environmental Protection Agency (EPA) to discuss the EPA's proposed rulemaking on 40 CFR Part 191, "Environmental Radiation Protection Standards for the Management and Disposal of Spent Nuclear Fuel, High-Level and Transuranic Radioactive Wastes." Also taking part in the discussions were members of the NRC staff and a representative from the U.S. Department of Energy. On the basis of these discussions, we understand that EPA has agreed to consider and respond to a major share of the comments and/or suggestions that have been made by the NRC staff regarding 40 CFR Part 191.

We are pleased to observe the progress being made by EPA in revising these standards, and we concur with the positions adopted by the NRC staff. We especially want to commend the staff for the constructive manner in which they have been interacting with the EPA staff to resolve existing differences. Topics and/or positions yet to be resolved, and in which we share the concerns of the NRC staff, include:

1. the lack of a documented technical basis for the standards;
2. the continued stringency in the release limit for Carbon-14 as listed in Table 1 of 40 CFR Part 191;
3. the lack of clarity and application of the required "projections" of repository performance out to 100,000 years;
4. a similar lack of clarity on guidance in projecting the demographics for future societies; and
5. the application of dose rate limits to individual members of the public (rather than to a critical population group), and the prohibition of truncation in any form in calculations of collective dose.


Mr. Robert M. Bernero

2

February 25, 1992

To the extent we can be helpful, we encourage you to have the NRC staff call on us as they work with EPA to resolve these remaining issues.

Sincerely,

A handwritten signature in black ink that reads "Dade W. Moeller". The signature is written in a cursive, slightly slanted style.

Dade W. Moeller
Chairman

Reference:

Draft Federal Register Notice For 40 CFR Part 191,
dated February 3, 1992