

August 28, 2009

ALL AGREEMENT STATES, MICHIGAN, NEW JERSEY

NRC STAFF REQUEST FOR INFORMATION RELATED TO LOW-LEVEL RADIOACTIVE WASTE DISPOSAL AND NOTICE OF PUBLIC MEETING (FSME-09-074)

Purpose: To inform Agreement States of the U.S. Nuclear Regulatory Commission (NRC) Request for Information on Low-Level Radioactive Waste Disposal and Notice of Public Meeting published in the *Federal Register* (FRN) (74 FR 39716) on August 7, 2009 enclosed.

Background: NRC staff briefed the Commission on the status of the low-level radioactive waste (LLW) program on April 17, 2009. External stakeholders, who briefed the Commission as well, noted that the use of radioactive material in nuclear medicine biomedical research needed cost effective disposal for LLW and that key radionuclide research products are no longer available due to high radiological waste disposal costs. Following the briefing, the Commission directed the staff to work with stakeholders to develop a list or catalogue of important research that has been impacted and/or stopped because of the lack of disposal options for radioactive sources. In its approach to complying with Commission direction, the staff decided to expand its inquiry to include the use of other radioactive material as well. Therefore, the NRC staff, via the FRN, has requested information and solicited public comment to identify and catalogue important research that has been impacted or stopped because of lack of disposal options for sealed sources and radioactive materials. In the FRN, stakeholders have been invited to respond in writing by October 20, 2009, and/or participate in a public meeting on October 7, 2009.

Discussion: Most of the licensees that are likely to be affected by the limitations in disposal access are located in Agreement States. NRC staff is asking for no specific action of Agreement State regulatory authorities as a result of this letter. However, if opportunities arise during interactions with licensees (or other stakeholders, including State regulatory officials themselves) who may have information that would be responsive to the questions raised in the FRN, NRC requests to Agreement States encourage licensees to participate by web cast in the October 7, 2009, public meeting or respond in writing before October 20, 2009.*

*This information request has been approved by OMB 3150-0029, expiration 08/31/2010. The estimated burden per response to comply with this voluntary collection is approximately 8 hours. Send comments regarding the burden estimate to the Records and FOIA/Privacy Services Branch (T-5F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by Internet e-mail to infocollects@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202 (3150-0029), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

NRC Point of Contact: If you have any questions regarding this correspondence, please contact me at 301-415-3340 or the individual named below.

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Enclosure: August 7, 2009 *Federal Register* Notice

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