

Northwest Interstate Compact

On Low-Level Radioactive Waste Management

P.O. Box 47600. Olympia, Washington 98504-7600. (360) 407-7102. Mike Garner, Executive Director

September 8, 2009

DOCKETED
USNRC

Secretary
U.S. Nuclear Regulatory Commission
MS-04E21
Washington, DC 20555-001

September 8, 2009 (4:55pm)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Subject: RIN 3150-AI16

The following comments are being provided regarding the U.S. Nuclear Regulatory Commissions' (NRC) proposed rulemaking for 10 CFR Part 110.

Specific Comments

The NRC is proposing to change the language of Part 110.43(d) by adding, "... as confirmed by NRC consultations with the host State(s) and, if applicable, the low-level waste compact commission(s). Similar language is being added to Part 110.45(b)(4).

These changes are an important addition for two reasons. First, this language makes these sections consistent with Part 110.32(f)(6). Most importantly it ensures authorization is obtained from the state and/or compact region in which wastes resulting from the processing of imported waste are disposed.

General Comments

In the past, there have been situations where all of the disposition pathways for waste resulting from the processing of imported wastes have not been clearly identified in the application. There has been at least one instance where the state and compact in which such waste was disposed were not provided an opportunity to comment on the import license application. To prevent this from occurring in the future it is essential that license applications include a list of all facilities that are projected to receive wastes for disposal that results from the processing of imported wastes. This should include licensed low-level waste disposal facilities as well as landfills that are licensed to accept materials such as those surveyed for bulk release (exempt waste). This will ensure that parties responsible for evaluating the application have the information necessary to conduct a thorough review.

Thank you for providing the opportunity for interested parties to comment on the rulemaking for 10 CFR Part 110. Should you have any questions regarding these comments please contact me at (360) 407-7102.

Sincerely,



Mike Garner, Executive Director
Northwest Interstate Compact

cc: Northwest Compact Committee Members

Rulemaking Comments

From: Garner, Mike (ECY) [JAMG461@ECY.WA.GOV]
Sent: Tuesday, September 08, 2009 3:53 PM
To: Rulemaking Comments
Subject: Subject: RIN 3150-AI16
Attachments: 20090908110019929.pdf

Attached are comments from the Northwest Compact regarding NRC's proposed rulemaking RIN 3150-AI16.
Thank you for providing a opportunity to comment on the proposed rule.

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Thread-Topic: Subject: RIN 3150-AI16

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From: "Garner, Mike (ECY)" <JAMG461@ECY.WA.GOV>

To: <Rulemaking.Comments@nrc.gov>

Return-Path: JAMG461@ECY.WA.GOV

X-OriginalArrivalTime: 08 Sep 2009 19:53:20.0852 (UTC) FILETIME=[045BB940:01CA30BE]

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