February 1, 2011

Working Group Meeting Report

NOTE TO: Low-Level Radioactive Waste Storage Working Group File

FROM: James Shaffner, Project Manager **/RA/**
Low-Level Waste Branch
Environmental Protection
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Division of Waste management
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Office of Federal and State Materials
and Environmental Management Program

SUBJECT: PUBLIC MEETING AND TELECONFERENCE OF THE LOW-LEVEL RADIOACTIVE WASTE STORAGE GUIDANCE WORKING GROUP

On January 18, 2011 from 10:30 am – 12 noon, Office of Federal and State Materials and Environmental Management Programs staff convened the Low-Level Radioactive Waste (LLRW) Storage Guidance Working Group by teleconference. The meeting was a Category 1 public meeting. The primary purpose was to discuss the contents of a proposed Regulatory Information Summary that will identify the most current guidance available to licensees and others regarding extended storage of LLRW.

Teleconference participants are included in Enclosure 1 and a summary of the discussion is included in Enclosure 2.

Enclosures:
1. List of Participants
2. Summary

CONTACT: J. Shaffner, FSME/DWMEP
(301) 415-5496

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NAME	JShaffner	AWalker-Smith	GSuber	JShaffner
DATE	01/24/11	01/24/11	01/31/11	2/1/11

OFFICIAL RECORD COPY

LIST OF PARTICIPANTS
TELECONFERENCE OF LOW-LEVEL RADIOACTIVE WASTE WORKING GROUP
JANUARY 18, 2011

PARTICIPANTS	AFFILIATION
Jim Shaffner, Convenor	NRC/FSME/DWMEP
Maurice Heath	NRC/FSME/DWMEP
Michelle Beardsley	NRC/FSME/Materials and State Agreements
Steve Garry	NRC/Nuclear Reactor Regulations
Steve Williams	NRC/New Reactor Operations
Fritz Sturz	NRC/Nuclear Security and Incident Response
Maxinne Lorette	NRC/Office of the Inspector General
Randy Ragland	NRC/Region I
Rob Evans	NRC/Region IV
Rich Janati	State of Pennsylvania, Organization of Agreement States
Janet Schlueter	Nuclear Energy Institute
Lisa Edwards	Electric Power Research Institute
Diane D'Arrigo	Nuclear Information and Research Institute (NIRS)
Mary Olson	NIRS
Len Smith	Council on Radionuclides and Radiopharmaceuticals (CORAR)
Deann Raleigh	Scientech
Mark Ledeux	Energy Solutions
Jacques Vandenbroek	Strategic Teaming and Resource Sharing (STARS)

PUBLIC MEETING AND TELECONFERENCE OF THE LOW-LEVEL RADIOACTIVE WASTE STORAGE GUIDANCE WORKING GROUP

January 18, 2011

Summary of Discussion

Because of the two month hiatus and the fact that this was a public meeting, J. Shaffner summarized the purpose, composition and previous deliberations of the Low-Level Radioactive Waste (LLRW) storage guidance working group. He also directed participants to recently completed Commission Paper, SECY-10-0164 which summarizes working group activities and plans for preparation of a Regulatory Issue Summary and, later, a NUREG containing consolidated storage guidance.

Mr. Shaffner briefly discussed the history of the evolution of LLRW storage guidance. He highlighted the example of SECY 94-198 being used to clarify some of the misconceptions that arose from earlier guidance. During discussions, it was emphasized that requirements had not changed or relaxed, but rather more fully explained as guidance evolved.

Ms. Beardsley questioned whether a regulatory issue summary (RIS) was the appropriate communication vehicle in that RISs are normally directed to licensees. Consensus discussion suggested that a RIS could be made available to a broader audience of stakeholders using All-Agreement State letters, federal register notices and other communication tools. Once approved, the RIS would be available on the U.S. Nuclear Regulatory Commission's (NRC's) public web site. Mr. Vanderbroek, STARS, said that industry would view a RIS as somewhat more significant than other generic communications (e.g. an Information Notice).

There was some discussion regarding the scope of the RIS vis a vis extended LLRW storage. It is intended to address storage of LLRW that would traditionally be destined for disposal at a LLRW disposal facility licensed per 10 CFR Part 61. It would not cover very low activity material sequestered as part of nuclear power plant operations, nor waste that is decayed-in-storage (see SECY 10-0164).

There were some questions regarding the applicability of the RIS to storage of material/waste that may ultimately be greater than class C (GTCC) waste. The concept of GTCC is introduced in NRC regulations for near surface disposal of LLRW (10CFR Part 61). NRC regulations define GTCC as LLRW but state that it is generally not acceptable for near surface disposal. By law, the U.S. Department of Energy has responsibility for disposal of GTCC. 10 CFR Part 72 considers the storage of power plant related GTCC in a manner similar to the storage of spent fuel. There are no similar considerations regarding the storage of non-power plant GTCC by other types of licensees.

It is recognized that uncertainties regarding disposal access for LLRW has been raised as an issue in new plant licensing. Some articulation of plants' responsibility for life of plant management of LLRW may be included in RIS (cannot be perceived as a new requirement).

Ms. Edwards pointed out that EPRI guidelines related to LLRW storage at reactors were finalized in 2009, not 2008.

Ms. D'Arrigo had a follow up question about management of sequestered material. Mr. Garry noted that it was considered as radioactive material and taken into consideration in decommissioning.

Follow-up:

1. Research and provide additional clarification re; legal/regulatory status of GTCC and responsibilities for management (Shaffner).
2. Prepare draft of RIS for consideration by working group (Shaffner).