

Rulemaking Comments

From: Janati, Rich [rjanati@state.pa.us]
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To: Rulemaking Comments
Subject: Comments on the Proposed Rulemaking - 10 CFR Part 61
Attachments: Comments on Part 61 Revisions.doc

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Attached is PA DEP's comments on the NRC proposed rulemaking on 10 CFR Part 61.

DOCKETED
USNRC

Thank you for the opportunity to provide comments.

June 17, 2011 (11:00 Am)

Regards,

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

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PA DEP Comments on 10 CFR Part 61 Limited Rulemaking: Site-Specific Analysis for Demonstrating Compliance with Subpart C Performance Objectives – Preliminary Proposed Rule Language

Comment 1

As it relates to the performance assessment (PA) requirements of the proposed rule, there is a need to make a distinction between unique waste streams and particularly depleted uranium, and routine commercial waste streams to account for the differences in toxicity of the two (physical and chemical form and radiological properties).

Comment 2

Additional clarification and guidance is needed regarding the proposed requirement to use peak annual dose for continuous assessment of the long-term performance of the disposal facility, beyond the compliance period of 20,000 years.

Comment 3

The uncertainties associated with the proposed PA timeframe of 20,000 years are large enough that it would be difficult to make a credible prediction about the long-term performance of the disposal facility. This could potentially complicate the licensing process for future commercial low-level waste (LLRW) disposal facilities.

Comment 4

Provide the basis for defining long-lived waste as waste that contains more than 10 percent of its initial radioactivity after 20,000 years. Does this correlate to the annual dose limit of 500 mrem for the inadvertent intruder scenario?

Comment 5

For the purpose of consistency and risk harmonization, consider an annual whole body dose limit of 25 mrem for an inadvertent intruder (vs. 500 mrem); similar to the limit set for the protection of the general public.

Comment 6

NRC and the host Agreement States should collaborate to determine an appropriate compatibility category and to minimize the potential for unintended consequences that could result from the implementation of the final rule.