

Gallagher, Carol

Subject: FW: comments for regulations.gov
Attachments: 2012-11-08 ABZ Comments on the Draft Revision 15 of NUREG.docx
2013 JAN 24 AM 10:18

-----Original Message-----

From: Nick Capik [mailto:njc@abzinc.com]
Sent: Thursday, November 08, 2012 3:50 PM
To: Simmons, Anneliese; Fredrichs, Thomas
Cc: Brewer Warren; Abbott Ed
Subject: Draft NUREG 1307

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Anneliese/Tom:

Attached are a few comments on NUREG 1307. Our recommendations may not comport with the rest of the industry. We think it is time to add another option for EnergySolutions' Clive facility and the Texas Compact's facility (operated by Waste Control Specialists LLC). The Texas facility started accepting waste for disposal in April 2012, and we are aware of several licensees signing contracts for waste disposal. Similarly, Clive has been used for some time, and reliable rates can be established. Our experience says that the rates for Clive in Table A-3 are significantly greater than can be realized under decommissioning conditions.

While we agree that a conservative posture is warranted, some balance should be struck with recent experience.

Thanks for the opportunity to comment. Please call or email if you have questions.

Nick Capik

9/21/2012
77 FR 58591

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Template = ADM - 013
E-RIDS = ADM -03
Add = J.A. SIMPSON (3AS15)

ABZ Comments on the Draft Revision 15 of NUREG-1307

(November 8, 2012)

There are two issues worthy of additional discussion with the draft NUREG.

First, the NUREG continues to use a hypothetical facility based on Barnwell rates for those outside of the Northwest, Rocky Mountain, and Atlantic Compacts. This process ignores the current use of the Clive facility and the Texas Compact facility (operated by WCS) for decommissioning wastes. Instead of the hypothetical facility, a third option should be provided for those without access to a compact facility, or those that can take advantage of this alternative approach. This third option should assume the use of the Clive facility for all wastes that qualify for such disposition, and WCS facility for other low-level radioactive wastes.

Second, the costs in Table A-3 seem to be significantly greater than recent decommissioning experience indicates. WCS noted earlier this year that the going market rates for Class A waste disposal range from \$35 per cubic foot to \$222 per cubic foot (see <http://www.tllrwfcc.org/pdf/WCS%20Presentation%20-%20Economics.pdf>). While the Draft NUREG notes several reasons that such favorable terms may be obtained, no such credit is applied.

ABZ recommends that a third option for Envirocare/WCS be developed and included, and recent experience with disposition of LLW at the Clive facility be used to determine costs for use of this option. Use of such an option would likely include smaller rates for disposal of Class A LLW and greater rates for disposal of Classes B and C LLW.