

July 23, 2014

MEMORANDUM TO: Gregory Suber, Acting Deputy Director
Environmental Protection and Performance
Assessment Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

FROM: Mathews George, Project Manager **/RA/ by SDembeck for**
Environmental Protection and Performance
Assessment Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

SUBJECT: SUMMARY OF JULY 8, 2014, PUBLIC WEBINAR ON STRATEGIC
ASSESSMENT OF LOW-LEVEL RADIOACTIVE WASTE
REGULATORY PROGRAM

On July 8, 2014, staff from the Office of Federal and State Materials and Environmental Management Programs conducted a public webinar workshop to gather information on an update to the U.S. Nuclear Regulatory Commission's (NRC's) 2007 Strategic Assessment of the Low-Level Radioactive Waste (LLRW) regulatory program from stakeholders and other interested members of the public.

BACKGROUND INFORMATION:

In 2007, the NRC staff published the Strategic Assessment in SECY-07-0180, "Strategic Assessment of Low-Level Radioactive Waste Regulatory Program" (ADAMS Accession No. ML07135029), which identified and prioritized the NRC staff's activities for the NRC's LLRW regulatory program. After 7 years, progress has been made in completing several activities identified in the 2007 Strategic Assessment. In addition, the national LLRW program continues to evolve. To set the direction for the NRC's LLRW regulatory program in the next several years, the NRC staff will begin developing an updated Strategic Assessment of the NRC's LLRW program. The new assessment will provide opportunities for stakeholder engagement. On May 15, 2014, a *Federal Register* (FR) notice was published (79 FR 27772) seeking comments on developments that would affect the LLRW regulatory program in the next several years that would affect licensees and sited States and actions that the NRC could take to ensure safety, security, and the protection of the environment.

CONTACT: Mathews George, FSME/DWMEP
301-415-7065

JULY 8, 2014 PUBLIC WEBINAR:

The July 8, 2014, Public Meeting Notice and meeting agenda were made publicly available prior to the meeting and can be found in (ADAMS Accession No. ML14170A469). Approximately 16 individuals participated in this public meeting, remotely (electronically) via webinar/telephone. Attendance included representatives from the Agreement States, disposal facility operators, and waste generators (including private and governmental) and members of non-governmental organizations (see enclosure). The meeting slides are available in ADAMS (ADAMS Accession No. ML14169A527).

Steve Dembek opened the workshop, welcomed the attendees and discussed the objectives of the workshop. Mathews George provided the background on the development of the 2007 Strategic Assessment, status of the high priority activities in the assessment, and proposed activities for the updated Strategic Assessment. Mathews George also discussed the specific questions to be considered as stakeholders develop and provide their comments in developing the revised Strategic Assessment document.

Comments and questions from the discussion on the Strategic Assessment included:

- Questions were raised on the basis of the pessimistic scenario. The NRC staff noted that the Barnwell closure was considered in the 2007 Strategic Assessment pessimistic scenario. However, the basis for the new pessimistic scenario is based on where disposal capacity is constrained for LLRW in the not too distant future for generators of LLRW.
- The majority of the concerns and comments were raised on the 10 CFR Part 61 rulemaking and from a single stakeholder group. These included:
 - The direction of the Part 61 rulemaking - dual track option. There should be an option to update waste classification to include depleted uranium.
 - The sharp differences between the Staff SECY to Commission (July 2013) and SRM from Commission (Feb 2014). Stakeholders were interested to understand the basis of the decisions by the Commissioners. NRC staff noted that the vote sheets for each Commissioner on this decision are publically available.
 - The Commissioners, in their SRM, seem to discount the scientific recommendations provided by the NRC staff.
 - The Commissioners seem to give the views and opinions of the nuclear industry more weight versus protection of public safety and environment in their decisions.

PATH FORWARD:

At the end of the meeting, Steve Dembek concluded the webinar. He thanked the participants of the webinar. He noted that written comments could be submitted via www.regulations.gov and the comment period would close on September 15, 2014. Comments from the March 7, 2014, workshop in Phoenix Arizona will be reviewed along with comments from the webinars on June 17th & July 8th as well as the *Federal Register* Notice in updating the Strategic Assessment. A draft updated Strategic Assessment is expected to be published in 2015.

DOCUMENTATION:

All project documentation (meeting agenda, presentation slides, meeting summary, and other related documents) can be found on the following NRC webpage:
<http://www.nrc.gov/waste/llw-disposal/llw-pa/llw-strategic-assessment.html>.

Enclosure:
Attendance List

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Enclosure:

Attendance List

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OFC	DWMEP	DWMEP	DWMEP	DWMEP	DWMEP
NAME	MGeorge	SDembek	TMoon	MWong for GSuber	SDembeck for MGeorge
DATE	07/10/14	07/10/14	07/14/14	07/22/14	07/23/14

OFFICIAL RECORD COPY

WEBINAR ATTENDEES (Public):

NAME	AFFILIATION
Matthew Pacenza	HEAL - Utah
Christopher Thomas	HEAL - Utah
Leigh Ing	Texas Low-Level Radioactive Waste Disposal Compact Commission
Todd Lovinger	LLW Forum Inc.
William Dornsife	Waste Control Specialists LLC
Thomas Magette	PWC
James Kennedy	Public Citizen
Mari Jaworski	Duke Energy
Holly Wohlberg	PWC

NOTE: There were additional attendees via the bridge line that did not login to the webinar. Staff has no means to track bridge line callers.

NRC ATTENDEES:

NAME	TITLE
Steve Dembek	Senior Project Manager
Mathews George	Project Manager
Don Lowman	Project Manager
James Shaffner	Project Manager
Maurice Heath	Project Manager
Terrence Brimfield	Project Manager
Antoinette Walker-Smith	Licensing Assistant