



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

March 27, 2015

ALL AGREEMENT AND NON-AGREEMENT STATES  
STATE LIAISON OFFICERS

OPPORTUNITY TO COMMENT ON PROPOSED AMENDMENTS TO LOW-LEVEL  
RADIOACTIVE WASTE DISPOSAL REGULATIONS, 10 CFR PARTS 20 AND 61  
(STC-15-016)

**Purpose:** To notify the Agreement States that a proposed rule entitled “Low-level radioactive waste disposal” was published in the *Federal Register* (FR) for public comment. A notice of availability of the draft guidance to go with the proposed changes was also published in the FR for public comment.

**Background:** The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend Parts 20 and 61 of Title 10 of the *Code of Federal Regulations* (10 CFR) as related to the licensing requirements for land disposal of low-level radioactive waste (LLRW). The proposed amendments would require LLRW waste disposal licensees and license applicants to prepare revised and new site-specific technical analyses to ensure that LLRW streams that are significantly different from those LLRW streams considered in the current 10 CFR Part 61 regulatory basis can be disposed of safely and meet the performance objectives in subpart C of 10 CFR Part 61. The amended regulations would also allow the development of site-specific criteria for the acceptance of LLRW based on the result of the technical analyses. Finally, the proposed amendments would facilitate implementation and better align the requirements with current health and safety standards.

The proposed rule was published in the FR (80 FR 16082) on March 26, 2015. The rule is posted on the Federal eRulemaking Portal at: <http://www.regulations.gov> under Docket No. NRC-2011-0012. On March 26, 2015, the NRC also published a notice of availability of the draft guidance to go with these proposed changes (80 FR 15930) in the FR. The notice of availability of the draft guidance is also posted on the Federal eRulemaking Portal at: <http://www.regulations.gov> under Docket No. NRC-2015-0003.

**Discussion:** Comments for both the proposed rule and the conforming guidance documents should be submitted by July 24, 2015. Comments received after these dates will be considered if it is practical to do so, but the NRC is able to assure consideration only for comments received on or before the due dates.

Under the “Policy Statement on Adequacy and Compatibility of Agreement State Programs” approved by the Commission on June 30, 1997, and published in the FR on September 3, 1997 (62 FR 46517), this rule involves regulations that have been assigned compatibility category “A,” “B,” “C,” “D,” and “H&S.” Section-specific compatibility designations are found in the

“Agreement State Compatibility” section of the *Federal Register* notice (FRN). Although the NRC welcomes comments on all compatibility designations for the rule, the NRC is seeking specific input whether the compatibility designation of compatibility category B is appropriate for the compliance period, protective assurance period, and waste acceptance criteria, as stated in the FRN for the proposed rule.

The State Liaison Officers should note that an Environmental Assessment (EA) has been prepared in support of the proposed rule. The conclusion of the EA is that no significant environmental impact will result from the proposed rule. The EA is available in its entirety in section IX of the FRN for the proposed rule. If you have any comments on the rule and its environmental impact, please send them by July 24, 2015.

If you have any questions regarding this correspondence, please contact the individual listed below:

POINT OF CONTACT: Gary Comfort  
TELEPHONE: 301-415-8106

INTERNET: [Gary.Comfort@nrc.gov](mailto:Gary.Comfort@nrc.gov)

***/RA Pamela Henderson for/***

Laura A. Dudes, Director  
Division of Material Safety, State, Tribal  
and Rulemaking Programs  
Office of Nuclear Material Safety  
and Safeguards

“Agreement State Compatibility” section of the *Federal Register* notice (FRN). Although the NRC welcomes comments on all compatibility designations for the rule, the NRC is seeking specific input whether the compatibility designation of compatibility category B is appropriate for the compliance period, protective assurance period, and waste acceptance criteria, as stated in the FRN for the proposed rule.

The State Liaison Officers should note that an Environmental Assessment (EA) has been prepared in support of the proposed rule. The conclusion of the EA is that no significant environmental impact will result from the proposed rule. The EA is available in its entirety in section IX of the FRN for the proposed rule. If you have any comments on the rule and its environmental impact, please send them by July 24, 2015.

If you have any questions regarding this correspondence, please contact the individual listed below:

POINT OF CONTACT: Gary Comfort  
TELEPHONE: 301-415-8106

INTERNET: [Gary.Comfort@nrc.gov](mailto:Gary.Comfort@nrc.gov)

*/RA Pamela Henderson for/*

Laura A. Dudes, Director  
Division of Material Safety, State, Tribal  
and Rulemaking Programs  
Office of Nuclear Material Safety  
and Safeguards

**DISTRIBUTION:**

MSTR R/F  
M. Fuller, MSTR  
D. B. Howe, MSTR

**ML15085A078**

<b>OFC</b>	<b>MSTR/RPMB</b>	<b>MSTR/RPMB</b>	<b>MSTR</b>
<b>NAME</b>	GComfort	JDanna	PHenderson for LDudes
<b>DATE</b>	3/26/15	3/26/15	3/27/15

**OFFICIAL RECORD COPY**