



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

April 1, 2015

ALL AGREEMENT AND NON-AGREEMENT STATES
STATE LIAISON OFFICERS

FEDERAL REGISTER NOTICE – Request for Comments on Draft Programmatic Assessment Results (STC-15-020)

Purpose: To provide notification that the U.S. Nuclear Regulatory Commission (NRC) has published a *Federal Register* notice (FRN) that is soliciting comments on the results of a Draft Programmatic Assessment.

Background: The NRC is requesting comment on a draft list of prioritized low-level radioactive waste (LLW) tasks based upon the assessment updates to the strategic assessment (now called a programmatic assessment) performed in 2007. The objective of this updated assessment remains the same as the 2007 assessment; that is, to identify and prioritize tasks that the NRC staff can undertake to ensure a stable, reliable, and adaptable regulatory framework for effective LLW management, while also considering future needs and changes that may occur in the nation's commercial LLW management system. In 2014, through public meetings, webinars, and *Federal Register* notices, the NRC staff solicited public comment on what changes, if any, should be made to the current LLW program's regulatory framework, as well as specific actions that the staff might undertake to facilitate such changes.

Discussion: The NRC received numerous comments in response to the request for suggested updates to the programmatic assessment. Many commenters expressed similar views, but there also were conflicting comments (e.g., some commenters wanted the NRC to make it easier to dispose of Low Activity Waste (LAW) at Resource Conservation and Recovery Act sites or other disposal facilities not licensed in accordance with the NRC's regulations in 10 CFR Part 61; other commenters wanted the NRC to require that disposal of LAW be done only at licensed LLW sites). Comments that were determined to be outside the scope of the programmatic assessment or comments related to tasks that have been recently completed by the NRC are not addressed in this programmatic assessment.

To evaluate and prioritize these comments, the NRC used the LLW strategic objective that was developed for the 2007 strategic assessment. Specifically, in SECY-07-0180, "Strategic Assessment of Low-Level Radioactive Waste Regulatory Program" (ADAMS Accession No. ML071350291), the NRC used the NRC's Strategic Plan to develop a strategic objective for the LLW regulatory program. To ensure the strategic objective was still current, the NRC reviewed the latest version of the NRC's Strategic Plan (Strategic Plan: Fiscal Years 2014-2018 (NUREG-1614, Volume 6, which can be found at <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1614/v6/>). The NRC concluded that the strategic objective developed in SECY-07-0180 is still applicable. The strategic objective is: "The objective of the NRC's LLW regulatory program is to provide for a stable, reliable, and adaptable regulatory framework for effective LLW management, while maintaining safety, security, and protection of the environment." The NRC evaluated whether the need to

complete each task was a short, medium, or long term priority. Also, the NRC considered potential costs and benefits along with consideration of the availability of disposal options.

The NRC used the list of 20 items in SECY-07-0180, as a starting point and combined, deleted, or added items based on the current LLW landscape and on stakeholder comments received in 2014.

The NRC is requesting comments on the updated prioritized task list as presented in section III, Table 1 of the *Federal Register* Notice. In particular, the NRC is requesting any views on possible unintended consequences of finalizing the proposed task list and any tasks that commenters feel the NRC did not adequately consider.

The FRN requests comments to be submitted by April 13, 2015.¹ The FRN is available at: <https://federalregister.gov/a/2015-05851>.

If you have any questions regarding this correspondence, please contact me at (301) 415-3340, or the Office of Nuclear Material Safety and Safeguards staff member named below.

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Office of Nuclear Material Safety
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Enclosure:
March 13, 2015 *Federal Register* Notice,
80 FR 13451

¹ This information request has been approved by OMB 3150-29 expiration 04/30/2017. The estimated burden per response to comply with this voluntary collection is approximately 8 hours. Send comment regarding the burden estimate to the Records and Information Services Branch (T-5F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by Internet e-mail to infocollects.resource@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202 (3150-0200), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

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ML15089A300

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