



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

October 20, 2017

ALL AGREEMENT STATES, VERMONT, WYOMING

PUBLICATION OF THE FINAL DRAFT REVISION OF "GUIDANCE FOR THE REVIEWS OF PROPOSED DISPOSAL PROCEDURES AND TRANSFERS OF RADIOACTIVE MATERIAL UNDER 10 CFR 20.2002 AND 10 CFR 40.13(a)" (STC-17-073)

Purpose: To inform the Agreement States that the U.S. Nuclear Regulatory Commission (NRC) Office of Nuclear Material Safety and Safeguards (NMSS) published a *Federal Register* notice in October 2017 for the final draft guidance, "Guidance for the Reviews of Proposed Disposal Procedures and Transfers of Radioactive Material Under 10 CFR 20.2002 and 10 CFR 40.13(a),"¹ providing a request for comment on the revision of the alternative disposal request guidance document and announcing the intent of the NRC to hold a public meeting.

Background: The original guidance document for the review of Title 10 of the *Code of Federal Regulations* (10 CFR) 20.2002² and 10 CFR 40.13(a)³ alternative disposal requests, EPPAD 3.5, "Review, Approval, and Documentation of Low-Activity Waste Disposals In Accordance with 10 CFR 20.2002 and 10 CFR 40.13(a)," was issued in 2009⁴ and provides information on the alternative disposal request review process. In order to provide more clarity, transparency, and consistency to the process, and to provide clarification of the definition of disposal in 10 CFR 20.2002 to include reuse and recycle, this guidance document is being revised, with an expected issuance of the final guidance in 2018.

Discussion: The alternative disposal request guidance is being revised and reviewed by NRC staff. This draft guidance was discussed with Agreement State representatives during the Organization of Agreement States (OAS) monthly call on July 20th. In addition, it was also discussed during an NRC presentation on the revised guidance at the annual OAS Meeting on August 24th to provide an opportunity to give an update on the status, highlight changes, answer questions, and consider how to best support its use in Agreement States.

A draft revision of the guidance has been made available for public comment, and NRC staff provided notice of the document in the *Federal Register* (82 FR 48727) on October 19, 2017. The notice provides background information regarding the draft guidance document, solicits public comments on the document, and provided notice of the NRC's plans to hold a public meeting to discuss the document and receive comments on the proposed changes. The comment period will end 60 days after the date of the publication of the *Federal Register* notice.

The NRC staff held a meeting at the NRC headquarters in Rockville, MD on October 19, 2017, and a webinar and facilitated bridgeline was provided to enhance public participation. The NRC plans to hold another public meeting, or Webinar, also during the comment period, which is expected to occur on November 15, 2017.

¹ Agencywide Documents Access and Management System (ADAMS) Accession No. ML16326A063

² [20.2002, "Method for obtaining approval of proposed disposal procedures."](#)

³ [40.13, "Unimportant quantities of source material."](#)

⁴ ADAMS Accession No. ML092460058

This *Federal Register* notice is available at:

<https://www.federalregister.gov/documents/2017/10/19/2017-22694/revision-of-the-guidance-document-for-alternative-disposal-requests>

This *Federal Register* notice can also be accessed on www.regulations.gov by searching on docket ID [NRC-2017-0198](https://www.regulations.gov/document/NRC-2017-0198).

The comment period for this document, which was chosen following consultation with the OAS, ends on December 18, 2017.

Please follow the directions in the *Federal Register* regarding comments. We look forward to receiving your input.

The draft document is available in the NRC's ADAMS using Accession No. [ML16326A063](https://www.adams.nrc.gov/docx/ML16326A063), within ADAMS Accession Package No. ML17229B588.

More information on the final draft of the revised guidance can also be found on the NRC's public website at:

<https://nrcweb.nrc.gov/waste/llw-disposal/10cfr20-2002-process.html>.

If you have any questions on this correspondence, please contact me at (301) 415-3340 or the individual named below:

POINT OF CONTACT: Robert Lee Gladney
TELEPHONE: (301) 415-1022

E-MAIL: Robert.Gladney@nrc.gov

/RA/ KWilliams for DCollins

Daniel S. Collins, Director
Division of Material Safety, State, Tribal
and Rulemaking Programs
Office of Nuclear Material Safety
and Safeguards

SUBJECT: PUBLICATION OF THE FINAL DRAFT REVISION OF "GUIDANCE FOR THE REVIEWS OF PROPOSED DISPOSAL PROCEDURES AND TRANSFERS OF RADIOACTIVE MATERIAL UNDER 10 CFR 20.2002 AND 10 CFR 40.13(a)" (STC-17-073) – DATED: OCTOBER 20, 2017

DISTRIBUTION:

DMSTR r/f
 CRCPD
 OAS
 JTapert
 AKock
 CMcKenney
 HGonzalez
 PMichalak
 BAbu-Eid
 MHeath
 SPoy
 RStruckmeyer
 SGarry
 DBroaddus
 CBladey
 KJamerson

ML17216A761

OFC	NMSS/ DUWP	NMSS/ DUWP	NMSS/ MSTR	NMSS/ DUWP	NMSS/ DUWP	NMSS/ MSTR	NMSS/ MSTR
NAME	RGladney	SDembek	HGonzalez	GSuber	CHolston	PMichalak	KwILLIAMS FOR DCollins
DATE	8/1/17	8/2/17	8/2/17	8/31/17	8/8/17	10/20/17	10/20/17

OFFICIAL RECORD COPY