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Subject: FW: Docket ID: NRC-2017- 0198
Attachments: STC-17-073_OAS_Comments.pdf

From: Goodman, Jenny [mailto:Jenny.Goodman@dep.nj.gov]
Sent: Tuesday, December 19, 2017 9:34 AM
To: Ma, May <May.Ma@nrc.gov>
Subject: [External_Sender] Docket ID: NRC-2017- 0198

Attached are the OAS comments. Submitted electronically yesterday.
Jenny

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82 FR 48727

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Template = ADM - 013
E-RIDS= ADM-03
Add= R.L. Hedney (rx99)



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December 18, 2017

May Ma
Office of Administration
Mail Stop: OWEN-2-A13
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

**OPPORTUNITY TO COMMENT ON DRAFT GUIDANCE DOCUMENT FOR
ALTERNATIVE DISPOSAL REQUESTS ENTITLED, "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)**

Docket ID: NRC-2017-0198

Dear Ms. Ma:

The Organization of Agreement States (OAS) Executive Board (Board) reviewed the above document and offers the following comments.

1. For on-site disposals, it is stated that in most cases, because doses from on-site disposals are expected to be a small fraction of the dose limit for unrestricted use of a site found in § 20.1402, the analyst does not need to consider potential dose from radon from source material, byproduct, or special nuclear material, consistent with the statements of consideration for the LTR found in Subpart E of 10 CFR Part 20. However, in section 7.1.2 Off-Site Burial Disposals, it is stated that Radon from source, byproduct or special nuclear material should be considered, as appropriate, for off-site disposals. Why should there be a difference between off-site and on-site consideration of radon?
2. Under the section entitled 7.2.2 § 40.13(a) Requests, it should be clarified that some source material that is exempt under 10 CFR 40.13(a) may be classified as either Technologically Enhanced Naturally Occurring Radioactive Material (TENORM) or diffuse Naturally Occurring or Accelerator Produced Radioactive Material (NARM) and may be regulated under separate regulations by the states, either Agreement or Non-Agreement. These regulations may not allow for materials to be disposed in the same manner as described in this guidance. The state Radiation Control Program Director should be contacted to ensure all regulations are adhered to.

Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, Wisconsin.

We appreciate the chance to comment on this subject, and stand ready to answer any questions you may have.

Sincerely,

A handwritten signature in cursive script that reads "David A. Turberville".

David Turberville
OAS Chair
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