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# PUBLIC SUBMISSION

**Docket:** NRC-2017-0081  
Greater-Than-Class C and Transuranic Waste

**Comment On:** NRC-2017-0081-0001  
Disposal of Greater-than-Class C and Transuranic Waste; Public Meeting

**Document:** NRC-2017-0081-DRAFT-0009  
Comment on FR Doc # 2018-03085

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## Submitter Information

**Name:** Christine Andres  
**Address:**  
2030 E. Flamingo Road  
Suite 230  
Las Vegas, NV, 89119  
**Email:** candres@ndep.nv.gov

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## General Comment

Please see attached letter.

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## Attachments

Comment on Proposed GTCC Rule



NEVADA DIVISION OF  
**ENVIRONMENTAL  
PROTECTION**

**STATE OF NEVADA**  
Department of Conservation & Natural Resources

Brian Sandoval, Governor  
Bradley Crowell, Director  
Greg Lovato, Administrator

April 16, 2018

Cardelia Maupin  
Senior Project Manager  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Subject: Docket ID: NRC-2017-0081 – Greater-Than-Class C and Transuranic Waste Proposed Rulemaking

Dear Cardelia Maupin:

The Nevada Division of Environmental Protection (“NDEP”) is providing comment on the Proposed Rule document that was issued by the Nuclear Regulatory Commission (“NRC”) on February 14, 2018, titled *Disposal of Greater-Than-Class C and Transuranic Waste*. The NRC is currently seeking stakeholder input in identifying the various technical issues that should be considered in the development of a regulatory basis for the disposal of Greater-than-Class C (GTCC) and transuranic radioactive waste through means other than a deep geologic disposal, including near surface disposal.

Under agreement with the US Department of Energy (“DOE”), the Nevada Division of Environmental Protection (“NDEP”) provides oversight of Low Level Radioactive Waste (LLW) disposal at the Nevada National Security Site (“NNSS”) (formerly the Nevada Test Site) located in Nye County, Nevada. The NDEP is commenting on this proposed rulemaking because on February 25, 2016, DOE issued its *Final Environmental Impact Statement for the Disposal of Greater-Than-Class C (GTCC) Low-Level Radioactive Waste and GTCC-Like Waste* (“*Final EIS*”). This Final EIS identified the preferred alternative as the Waste Isolation Pilot Plan geological repository and/or land disposal at generic commercial facilities. The Final EIS is not a decision on GTCC LLRW waste disposal. Under the Energy Policy Act of 2005, prior to making a final decision on the disposal alternatives, DOE is required to: (i) submit a report to Congress that describes the disposal alternatives and includes all of the information required in the comprehensive report DOE submitted to Congress in February 1987, and (ii) await action by Congress. The Report to Congress, titled *Alternatives for the Disposal of Greater-Than-Class C Low-Level Radioactive Waste and Greater-Than-Class C-Like Waste* was submitted in November 2017. While it is stated in the Conclusion of this Report that “Congressional action is required before DOE can make a final decision and issue a record of decision on the disposal of GTCC and GTCC-like waste,” NDEP believes that any development of a regulatory basis for GTCC and transuranic waste disposal by the NRC must take into account all of the information and analyses

Cardelia Maupin  
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in the Final EIS and be consistent with the preferred alternative for the disposal of GTCC LLRW and GTCC-like waste identified in the Final EIS.

NDEP appreciates the opportunity to comment on the Proposed Rule document, *Disposal of Greater-Than-Class C and Transuranic Waste*. Please contact me at [candres@ndep.nv.gov](mailto:candres@ndep.nv.gov) or 702-486-2850, ext. 232 to discuss this matter further.

Sincerely,



Christine Andres  
Chief  
Bureau of Federal Facilities

ec: Robert Boehlecke, EM Nevada Program Manager, Nevada Field Office, Las Vegas, NV  
Scott Wade, Senior Advisor for Environmental Management, NNSA/NFO, Las Vegas, NV  
Greg Lovato, Administrator, NDEP