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OFFICE OF CONSERVATION

B. JIM PORTER
ADMINISTRATOR
NUCLEAR ENERGY DIVISION

January 31, 1979

(27)

PROPOSED RULE PR -20 (43FR56677)

DOCKETED
USNRC
FEB 12 1979
Office of the Secretary
Docketing & Service
Section

Secretary of the Commission
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Attention: Docketing & Service Branch

Dear Sir:

The Nuclear Energy Division concurs with the intent of proposed changes to 10 CFR 20 to require NRC licensees to obtain Commission approval prior to burial of small quantities of radionuclides, as stated in the Federal Register, Volume 43, No. 233, dated December 4, 1978.

Approximately two years ago, the Division took similar action by changing Section D.304 of the Louisiana Radiation Regulations (copy enclosed) to require that:

> "No licensee shall dispose of radioactive material in soil unless: (a) Prior approval is obtained from the Division . . . ."

Even though this section implies that information must be submitted for the Division to make an adequate determination of the degree of hazard involved prior to granting its approval or denying the request, Section D.302 specifies the kinds of information which must be submitted in order to gain the Division's approval.

Although Section D.304 is not an outright prohibition against burial, it is felt that the inclusion of Section D.304(a) will encourage the licensee to seek alternative methods of disposal, such as transfer, hold for decay, etc. It further retains the restrictions specified in Section D.304(b), (c) and (d) without having to include these as licensing conditions, as would be the case if 10 CFR 20.304 is deleted in its entirety.

Acknowledged by card. 2/12

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P.O. BOX 14690 . BATON ROUGE, LOUISIANA 70808 . PHONE (504) 925-4518

Thank you for providing this opportunity to comment on proposed changes to the Commission's regulations.

Sincerely,

B. Jim Porter
Administrator
Nuclear Energy Division

BJP:dbz

Enclosure

cc: G. Wayne Kerr
John W. Hickey

WASTE DISPOSAL

Sec. D.301 GENERAL REQUIREMENT. No licensee shall dispose of any radioactive material except:

(a) by transfer to an authorized recipient as provided in Part C, or

(b) as authorized pursuant to Sections D.106, D.302, D.303 or D.304.

Sec. D.302 METHOD OF OBTAINING APPROVAL OF PROPOSED DISPOSAL PROCEDURES.

(a) Any person may apply to the Division for approval of proposed procedures to dispose of radioactive material in a manner not otherwise authorized in this part. Each application shall include a description of the radioactive material, including the quantities and kinds of radioactive material and levels of radioactivity involved, and the proposed manner and conditions of disposal. The application, where appropriate, should also include an analysis and evaluation of pertinent information as to the nature of the environment, including topographical, geological, meteorological and hydrological characteristics; usage of ground and surface waters in the general area; the nature and location of other potentially affected facilities; and procedures to be observed to minimize the risk of unexpected or hazardous exposures.

(b) The Division will not approve any application for a license to receive radioactive material from other persons for disposal on land not owned by either the State of Louisiana or the Federal Government.

Sec. D.303 DISPOSAL BY RELEASE INTO SANITARY SEWERAGE SYSTEMS.

(a) No licensee shall discharge radioactive material into a sanitary sewerage system unless:

(1) It is readily soluble or dispersible in water;

(2) The quantity of any radioactive material released into the system by the licensee in any one day does not exceed the larger of subparagraphs D.303(a)(2)(i) or (ii):

(i) The quantity which, if diluted by the average daily quantity of sewage released into the sewer by the licensee, will result in an average concentration not greater than the limits specified in Appendix A, Table I, Column 2, of this part, or

(ii) Ten (10) times the quantity of such material specified in Appendix B of this part;

(3) The quantity of any radioactive material released in any one month, if diluted by the average monthly quantity of water released by the licensee, will not result in an average concentration exceeding the limits specified in Appendix A, Table I, Column 2, of this part; and

(4) The gross quantity of radioactive material released into the sewerage system by the licensee does not exceed one (1) Curie per year.

(b) Excreta from individuals undergoing medical diagnosis or therapy with radioactive material shall be exempt from any limitations contained in this section.

Sec. D.304 DISPOSAL BY BURIAL IN SOIL. No licensee shall dispose of radioactive material by burial in soil unless:

(a) Prior approval is obtained from the Division;

(b) The total quantity of radioactive material buried at any one location and time does not exceed, at the time of burial, 1,000 times the amount specified in Appendix B of this part;

(c) Burial is at a minimum depth of four (4) feet; and

(d) Successive burials are separated by distances of at least six (6) feet, and not more than twelve (12) burials are made in any year.

Sec. D.305 DISPOSAL BY INCINERATION. No licensee shall incinerate radioactive material for the purpose of disposal or preparation for disposal except as specifically approved by the Division pursuant to Sections D.106 and D.302.

Sec. D.306 through D.399 (Reserved).