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

**Comment On:** NRC-2017-0081-0027  
Greater-than-Class-C and Transuranic Waste; Extension of Comment Period

**Document:** NRC-2017-0081-DRAFT-0053  
Comment on FR Doc # 2019-19645

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## Submitter Information

**Name:** Ty Howard  
**Submitter's Representative:** Utah Division of Waste Management and Radiation Control  
**Organization:** Utah Dept. of Environmental Quality  
**Government Agency Type:** State

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## General Comment

Utah DWMRC Comment -- Draft Regulatory Basis -- GTCC-TRU Waste Disposal

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## Attachments

UT DWMRC Comments NRC Draft Reg Basis GTCC-TRU Waste Disposal 2019-11-19  
DRC-2019-014842



State of Utah

GARY R. HERBERT  
*Governor*

SPENCER J. COX  
*Lieutenant Governor*

Department of  
Environmental Quality

L. Scott Baird  
*Interim Executive Director*

DIVISION OF WASTE MANAGEMENT  
AND RADIATION CONTROL  
Ty L. Howard  
*Director*

November 19, 2019

Secretary

U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001,  
ATTN: Rulemakings and Adjudications Staff

Docket ID No.: NRC-2017-0081

RE: Comments on the Draft Regulatory Basis for the Disposal of Greater-than-Class C (GTCC) and Transuranic Waste (RIN number: 3150-AK00)

Dear Secretary:

On behalf of the Utah Division of Waste Management and Radiation Control, I appreciate the opportunity to provide comments on the subject document. I also express appreciation for the staff who have worked on this matter and the manner in which the scope and content of the Draft Regulatory Basis reflect the importance of the technical and regulatory issues associated with Greater-Than-Class C (GTCC) and transuranic (TRU) low-level radioactive waste management.

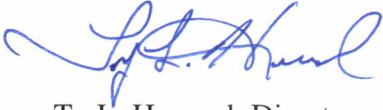
Since Utah is a member of the Low-Level Waste Forum, I offer my support for the comments submitted by the Forum's Part 61 Working Group under a separate letter. Additionally, as an Agreement State for the low-level waste program and as a host state for a commercial low-level radioactive waste disposal facility, it is important to inform the NRC of an existing Utah law regarding the disposal of GTCC within Utah. Specifically, Part 3 of the Utah Radiation Control Act has the following provision that explicitly addresses the management of high-level radioactive waste and GTCC radioactive waste in Utah:

The placement, including transfer, storage, decay in storage, treatment, or disposal, within the exterior boundaries of Utah of high-level nuclear waste or greater than class C radioactive waste is prohibited. (§19-3-301(1), Utah Code Ann.)

I would add that this statutory prohibition would logically extend to any low-level radioactive waste containing transuranic isotopes in concentrations that exceed the Class C limit of Table 1 of 10 CFR 61.55.

Again, I appreciate the opportunity to provide comments on the Draft Regulatory Basis for the Disposal of GTCC and TRU Waste. Should you have any questions or require additional information, please feel free to contact me at (801) 536-0203 or tyhoward@utah.gov or Rusty Lundberg of our staff at (801) 536-4257 or rlundberg@utah.gov.

Sincerely,



Ty L. Howard, Director  
Division of Waste Management and Radiation Control

TLH/RL

c: Joe Klinger, Interim Executive Director, LLW Forum