



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

PR

001 1 0 1980

Identical letter sent to those on attached list.

Gentlemen:

With transuranic (TRU) wastes exceeding 10 nCi per gram no longer acceptable for disposal at operating commercial shallow land disposal sites, the Nuclear Regulatory Commission (NRC) requested the Department of Energy (DOE) to accept these wastes from licensees for storage pending provisions for ultimate disposal. In subsequent discussions on this matter, as you are aware, DOE has indicated that its authority to accept TRU wastes from the commercial sector is limited. The enclosed report, RFP-3110, provides a DOE assessment of the situation.

As an interim step towards resolution of the problem, we requested that DOE provide TRU waste packaging criteria developed at DOE sites for retrievable storage that could be used by licensees. Enclosed is a copy of the response supplied by DOE dated April 14, 1980 with attached packaging criteria. Please note that DOE states that it cannot guarantee absolutely that the criteria will not be changed, but we believe that the letter provides reasonable assurance that such packages would be acceptable if DOE were to receive commercial TRU wastes in the future. Please also note that while criteria provided by DOE were developed by its Idaho Operations Office, it is not to be implied that this would be the site used if DOE were to accept commercial TRU wastes in the future.

For shipment, licensee waste packages must be delivered to a carrier for transport in accordance with NRC regulations, 10 CFR Part 71, including applicable Certificates of Compliance issued by the NRC. We have concluded from examination of the DOE packaging criteria that the described packages are generally compatible with the content and container requirements of NRC Certification of Compliance No. 6400. One minor modification in the Certificate that would be required would be to authorize the use of the DOT Specification 17C drum in addition to the DOT Specification 17H drum presently specified in the Certificate. Users of the Certificate may recognize a need for other modifications to assure that packaging of wastes in accordance with the DOE criteria is compatible with NRC requirements. Any alternatives to present requirements of the Certificate that may be considered necessary should be discussed with our Transportation Certification Branch.

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You are advised to establish a detailed quality control program with appropriate documentation that will enable you to demonstrate sometime in the future that containers purchased or fabricated were inspected to assure that they meet the DOE specifications, that the contents are as prescribed, and that other requirements are fully met. Packaging procedures should provide for careful handling of containers to prevent even minor damage that might be of concern for long-term retrievable storage.

We have not been able to identify any feasible options for receipt and retrievable storage of TRU wastes pending ultimate disposal other than DOE sites. Any suggestions that you may have are invited. Proposals for any licensed facility to accept TRU wastes for retrievable storage must consider the need for financial assurance that the wastes can be delivered in the future for final disposal, as well as take into account views on the acceptability of the facility in the state where it may be located.

We plan to continue discussions on this matter with DOE. However, it is apparent that for some time licensees will have to provide for safe on-site storage of TRU wastes that cannot be delivered to DOE sites through contractual arrangements that have been made. We are willing to work closely with you on any license amendments that may be required to provide for additional storage. The potential costs for disposal combined with your costs for storage are incentives to minimize the volume of TRU wastes that exceed 10 nCi per gram. Again, if volume reduction techniques that you may wish to consider should require licensing action, we are willing to work closely with you.

If you have any questions on these matters, please contact me or Mr. Leland C. Rouse of my staff.

Sincerely,



Richard E. Cunningham, Director
Division of Fuel Cycle and
Material Safety
Office of Nuclear Material Safety
and Safeguards

Enclosures:

1. RFP-3110
2. Memorandum for J. B. Martin, NRC
from S. Meyers, DOE dated 4/19/80

cc: See attached list.

cc: Mr. Emanuel Gorden
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