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1994 APR -4 PM 5:03

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Grand Rapids MI 49505
3/15/94

G. Mencinsky
58FR54325
10/21/93

DS09

Re: decommissioning, (3 volumes)

NUREG/CR 6054 PNL-8497

" " 5884 PNL 8742

" " " " " "

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This comment is much on my mind - and in frustration on the ^{my} unknown due date (or if I've already sent my 2 page piece) I forward this "on precautionary grounds" (a policy all nuclear developments must take).

Notice (over) a sample of your repeated display of the misleading mindset that radioactive wastes/materials are a disposal possibility: NO. THEY ARE NON-DISPOSABLE and can only be stored/managed/isolated/repackaged monitored "forevermore". So DO NOT USE that "disposal" term. Nor "SPENT" meaning toxic fuel irradiated up to 100,000,000 times during use.

Public faith will only come without vessel-wards and upon BANNING continuous production of nuclear. (around)

In placium,
Corinne Carey

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and adjacent environs permit release for unrestricted use. Residual radioactive contamination levels are the subject of interim guidance under preparation and in regulatory guides; present guidance is contained in Regulatory Guide 1.86.⁽¹⁾ In addition, the decommissioning rule requires submittal of a final radiation survey plan as part of the decommissioning plan.

The decommissioning plan and the associated approval process provide an adequate legal framework for the regulation of facilities undergoing decommissioning. Therefore, the licensee would submit, gain approval of, and carry out decommissioning plans in accordance with the requirements of 10 CFR 50.82 and the guidance of Regulatory Guide DG-1005. The NRC licensing offices evaluate the information contained in the plan on whether it is based on existing regulations applicable to reactors undergoing decommissioning. These regulations include applicable parts of Title 10 CFR Parts 20, 50, 61, 70, 71, and 73. NRC staff will also monitor the carrying out of the plans.

1.1.2.2 Radioactive Waste Management Plan

Regardless of the decommissioning mode, radioactive waste will be accumulated, treated, packaged, stored, and transported to a disposal site. Means for complying with the regulatory aspects of each of these areas must be defined in the decommissioning plan. Unless indicated otherwise, the following regulatory changes, since 1978, are taken from the Supplementary Information to the decommissioning rule.⁽¹⁾

The DECON decommissioning alternative assumes availability of capacity to dispose of waste. Disposal capacity for Class A, Class B, and Class C wastes currently exists. The Low-Level Radioactive Waste Policy Amendments Act (LLRWPA) of 1985 (Public Law 99-240, approved January 15, 1986, 99 Stat. 1842) provides that disposal of Greater-Than-Class C (GTCC) wastes is the responsibility of the Federal Government.

NRC staff expected that Congress would provide guidance for development of disposal capacity for wastes exceeding Class C concentrations. Those wastes whose radionuclides concentrations exceeded the maximum allowed for land disposal, GTCC, were required to be stored by licensees pending further determination. This determination was provided in an amendment to 10 CFR 61

Under review... spent fuel = REPROCESSOR FOR...
Capable within 10 years
used radioactive materials
disposal: NUCLEAR WASTE DISPOSAL
... it on Earth
1984
NRC

(Part 61.55, "Waste Classification") published in the Federal Register dated May 25, 1989, wherein all GTCC wastes are to be disposed of in a geologic repository, or in an approved alternative. In the LLRWPA legislation passed by Congress in 1985, the U.S. Department of Energy (DOE) was assigned the responsibility for the disposal of GTCC wastes. Under this legislation, DOE must provide the capability for disposal of the GTCC wastes, but the waste generator must pay for the service. Thus, the costs of disposal of GTCC wastes resulting from decommissioning activities are a legitimate decommissioning expense.

Decommissioning activities do not include the removal and disposal of spent fuel, which is considered to be an operational activity, or the removal and disposal of nonradioactive structures and materials beyond that necessary to terminate the NRC license. Spent fuel disposal, although not included as a decommissioning activity, could nevertheless have an impact on the decommissioning schedule (see discussion below). The detailed schedule for development of monitored retrievable storage and geologic disposal capacity provided in the Nuclear Waste Policy Act of 1982 (NWPA, Public Law 97-245, January 7, 1983) and in the Nuclear Waste Policy Amendments Act of 1987 (NWPA, Public Law 100-203, December 22, 1987) has been slipping. Therefore, licensees will have to assess the situation with regard to spent fuel disposal when they prepare their decommissioning plans.

Appendix D contains the background information and the rationale for the derivation of the minimum length of the SAFSTOR period at the reference PWR resulting from DOE's intent to not accept standard spent nuclear fuel (SNF)^(b) from reactors until that fuel is cooled at least five years or can meet shipping cask certification requirements. This regulatory action could also result in changes in the decommissioning planning bases for DECON and ENTOMB as well. This change in the planning base requires a reassessment of decommissioning activity schedules and sequences, staff loadings, and shift schedules, to minimize the cost and radiation dose over the different decom-

(b) As delineated in 10 CFR Part 961, Appendix E,⁽⁵⁾ SNF is broadly classified into three categories: standard fuel, nonstandard fuel, and failed fuel. Most, if not all, SNF from the reference PWR is assumed to fall into the standard fuel category. One of the General Specifications for standard fuel is a minimum cooling time of five (5) years.