



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

February 19, 1991

The Honorable Sherwood Boehlert
United States House of
Representatives
Washington, DC 20515

Dear Congressman Boehlert:

I am responding to your questions on behalf of Cindy Monaco, Cortland County Low-Level Radioactive Waste (LLRW) Coordinator. The questions were presented in a letter, dated December 6, 1990, to Mr. Tom Combs of the U.S. Nuclear Regulatory Commission (NRC), Office of Governmental and Public Affairs (GPA). We have attempted to address all of Ms. Monaco's questions; however, it is important to note that our responses are limited to our knowledge of sites and facilities subject to NRC licensing and regulations. NRC does not have regulatory authority over most Department of Energy (DOE) facilities, and DOE should be contacted directly for information about the sites for which it is responsible.

The first and second questions in your letter asked for the locations and acreage of all Federal LLRW disposal and/or storage sites in New York State. NRC produced a listing, which is enclosed, of all NRC materials licensees in the State. None of these facilities is licensed to perform disposal of LLRW; several of them, such as the Veterans Administration (VA) Hospitals and Medical Centers, are licensed for Nuclear Medicine Programs, which may include short-term waste storage prior to shipment for disposal at licensed facilities. Others have licenses for use of equipment containing radiation sources, but the equipment is not waste.

A number of Federal agencies hold broad licenses, which allow operations in several states. These agencies include the U.S. Department of Agriculture (USDA), the U.S. Navy, and the U.S. Air Force. Each of these programs is described briefly here, with a discussion of their activities in New York State.

The USDA has 13 licensed sites in New York State. Eleven of these are for sealed sources, such as X-ray and soil moisture-density instrumentation. Two of the sites, USDA laboratories at Cornell University and the Plum Island Animal Disease Center at Greenport, Long Island, are generators of low-level waste (LLW) from research activities. Plum Island is permitted to incinerate small amounts of LLW on site. Cornell University manages approximately 50 cubic feet of USDA laboratory waste per year, including storage before shipment for out-of state disposal.

The U.S. Navy license is administered by Naval Operations, under the oversight of NRC Region II, Atlanta. The Navy has issued approximately 200 permits under this license, but none of them is issued to facilities in New York State. The Naval Reactors Program is a joint effort of the Navy and DOE; NRC does not license Naval reactor facilities. Questions about Naval reactors should be addressed directly to DOE.

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The U.S. Air Force also holds a broad license, and has issued permits to Griffiss, Plattsburg, and Niagara Falls Air Force Bases, and to Stratton and Suffolk County Air National Guard Bases for the use of instrumentation containing sealed sources. None of these military bases has radioactive waste storage or disposal sites.

Three Army sites hold NRC licenses in New York State; they are the Military Academy at West Point, Watervliet Arsenal, and Seneca Army Depot at Romulus. These facilities are licensed for research and development activities and use of source material. Like USDA, they may accumulate and store small amounts of waste prior to out-of-state disposal. As with the other licensees, source material within instrumentation can become waste at the end of its use; the licensees may store instrumentation briefly until it can be returned to the manufacturer or transported to an approved disposal site. No radioactive wastes are disposed of on site.

With respect to the third question concerning site remediation, there are two sites, which are being evaluated for remediation in New York. These are discussed below.

The Western New York Nuclear Service Center at West Valley, NY, is the site of a spent fuel reprocessing plant that was operated under a Federal license from 1966 to 1972. During its commercial life, the site was operated by Nuclear Fuel Services (NFS), owned by the New York State Energy Research and Development Authority (ERDA), and licensed by NRC and the New York State Department of Environmental Conservation (DEC). NFS stopped operation of the processing plant in 1972 and maintained it in a dormant condition until 1982.

There are two radioactive waste disposal areas at West Valley. The NRC-licensed disposal area is approximately 4.5 acres in size and received wastes that originated in reprocessing operations. The State-licensed area is approximately 10 acres and received a variety of commercial LLW mostly generated offsite.

The West Valley Demonstration Project (WVDP) Act of 1980 directed DOE to take possession of the site, primarily for the purpose of solidifying the high-level liquid wastes stored at the site. DOE took possession of the site in February 1982, and NRC has responsibility for overview of the DOE program for protection of the public health and safety at West Valley.

DOE and the New York ERDA are co-authoring an Environmental Impact Statement (EIS), to address options for WVDP termination and site closure. The EIS will consider all radioactively contaminated features of the West Valley site, including the two disposal areas. The WVDP expects to have a draft EIS ready for release and public review by July 1992. This EIS will propose and evaluate alternatives for remediation of the disposal areas.

The Gulf United Nuclear Fuels Corporation (GUNFC) plant site in Pawling, New York, is currently being considered for remediation. GUNFC performed nuclear fuel research and development at the site until it was decommissioned in 1972 and the license was terminated in 1975. Radiological surveys of the site in 1984, 1985, and 1986 indicated that low levels of contamination are present on indoor concrete floors and in soils on the site. The National Park Service is the current owner of the site. Discussions concerning cleanup are underway between NRC and Chevron Oil Co., partial successor to the former licensee.

It is possible that disposal has occurred, in the past, at sites that are no longer licensed. NRC is not aware of any such disposal sites that might require remediation. If any such sites were brought to our attention, they would be investigated, as appropriate.

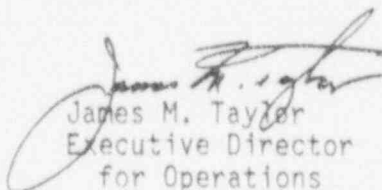
The fourth question specifically inquired about the Seneca Army Depot, in Romulus, NY. Seneca is licensed by NRC to receive, maintain, and ship 30-mm ammunition containing depleted uranium. As part of this activity, some of the ammunition is deactivated; the depleted uranium components may be stored at the depot for a short time before shipment out of state for recycling or final disposal. No waste disposal is performed at Seneca.

In the 1940's, some high-radium pitchblende ore was stored at Seneca. In 1945, the ore was moved to Fernald, OH. The ore storage bunkers at Seneca stood empty until the 1980's, when they were cleaned. In May 1987, NRC performed a close-out survey of the bunkers and determined that no further remediation was necessary. The bunkers were released for unrestricted use in May 1988. No disposal or other long-term storage of radioactive materials or waste is occurring or is known to NRC to have occurred at Seneca Army Depot.

In response to your fifth question, I do not foresee any significant shifts in NRC's policies toward LLW Management. However, I recognize that there are LLW storage issues that still remain to be resolved. In that regard, the Commission is currently examining the storage issue in the context of the LLW title transfer and possession provisions of the Low-Level Waste Policy Amendments Act of 1985. NRC staff has already provided recommendations to the Commission on how best to discharge NRC's responsibilities in these areas. The Commission has also solicited public comments on staff recommendations in this area through a notice of availability in the Federal Register (55FR50064, December 4, 1990). A copy of this notice is also enclosed.

I appreciate your questions and concerns about the storage and disposal of LLRW in New York State, and trust that this reply responds to your constituent's concerns.

Sincerely,


James M. Taylor
Executive Director
for Operations

Enclosures: As stated

ACTIVE FEDERAL NRC LICENSEES IN NEW YORK - JANUARY 11, 1991

LICENSEE:	A Z BULLITT AVE. LTD. PRTRSHIP C/O A Z BULLITT AVE LTD. PRTRSHIP 41 MADISON AVENUE NEW YORK, NY 10010	LICENSE NO.	31-28379-01	DOCKET NO.	3031146
LICENSEE:	AMMANN & WHITNEY, INC. 96 MORTON STREET NEW YORK, NY 19406	LICENSE NO.	06-20730-01	DOCKET NO.	3022009
LICENSEE:	ARMY, DEPARTMENT OF THE DEPARTMENT OF PHYSICS UNITED STATES MILITARY ACADEMY WEST POINT, NY 10996	LICENSE NO.	31-02102-02	DOCKET NO.	3000827
LICENSEE:	ARMY, DEPARTMENT OF THE WATERVLIET ARSENAL BUILDING 120 WATERVLIET, NY 12189	LICENSE NO.	31-07515-01	DOCKET NO.	3005533
LICENSEE:	ARMY, DEPARTMENT OF THE WATERVLIET ARSENAL BUILDING 120 WATERVLIET, NY 12189	LICENSE NO.	31-07595-02	DOCKET NO.	3015089
LICENSEE:	ARMY, DEPARTMENT OF THE DEPARTMENT OF PHYSICS U. S. MILITARY ACADEMY WEST POINT, NY 10996	LICENSE NO.	SUD-311	DOCKET NO.	4005828
LICENSEE:	ARMY, DEPARTMENT OF THE BENET WEAPONS LABORATORY WATERVLIET ARSENAL WATERVLIET, NY 12189-4050	LICENSE NO.	STB-1121	DOCKET NO.	4008126

ACTIVE FEDERAL NRC LICENSEES IN NEW YORK - JANUARY 11, 1991

LICENSEE	ARMY DEPARTMENT OF THE SENECA ARMY DEPOT ATTN: SDSSE-AX ROMULUS, NY 14541-5001	LICENSE NO	SUC-1275	DOCKET NO	4008526
LICENSEE	ATLANTIC TESTING LABS. LTD. P.O. BOX 356 CICERO, NY 13039	LICENSE NO	31-16897-02	DOCKET NO	3019386
LICENSEE	BULOVA CORP 26-15 BROOKLYN-QUEENS EXHWY W WOODSIDE, NY 11377	LICENSE NO	31-07692-05E	DOCKET NO	3015010
LICENSEE	CEDERQUIST M.D. ROBERT A V. A. MEDICAL CENTER CASTLE POINT, NY 12511	LICENSE NO	31-28910-01	DOCKET NO	3029924
LICENSEE	CHAMPION INTL. CORP. WEST NYACK ROAD WEST NYACK, NY 10994	LICENSE NO	31-27922-01	DOCKET NO	3029632
LICENSEE	CINTICHEM, INC STERLING FOREST LABORATORY P.O. BOX 816 TUXEDO, NY 10987	LICENSE NO	SNW-639	DOCKET NO	7000687
LICENSEE	CLOUGH HARBOUR AND ASSOCIATES ENGINEERS & PLANNERS P.O. BOX 5269 ALBANY, NY 12205	LICENSE NO	31-28025-01	DOCKET NO	3029986

ACTIVE FEDERAL NRC LICENSEES IN NEW YORK - JANUARY 11, 1991

LICENSEE:	COLUMBIA UNIV. IN THE CITY OF NY HEALTH PHYSICS OFFICE 289 ENGINEERING TERRACE NEW YORK, NY 10027	LICENSE NO.	SNM-870	DOCKET NO.	7000882
LICENSEE:	COMMERCE, DEPARTMENT OF US MERCHANT MARINE ACADEMY KINGS POINT, NY 11024-1699	LICENSE NO.	31-14290-01	DOCKET NO.	3017546
LICENSEE:	COMMERCE, DEPARTMENT OF KINGS POINT, NY 11024	LICENSE NO.	SNM-500	DOCKET NO.	7000478
LICENSEE:	DUNN GEOSCIENCE CORPORATION 12 METRO PARK ROAD ALBANY, NY 12205	LICENSE NO.	31-21281-02	DOCKET NO.	3030681
LICENSEE:	EASTMAN KODAK KODAK PARK, BLDG. 320 ROCHESTER, NY 14652-3614	LICENSE NO.	SNM-1513	DOCKET NO.	7001703
LICENSEE:	EEV, INC 4 WESTCHESTER PLAZA ELMSFORD, NY 10523	LICENSE NO.	31-23630-01E	DOCKET NO.	3029356
LICENSEE:	ENVIRONMENTAL PROTECTION AGENCY REGION II, ROOM 1043B 26 FEDERAL PLAZA NEW YORK, NY 10278	LICENSE NO.	31-15050-02	DOCKET NO.	3020895

ACTIVE FEDERAL NRC LICENSEES IN NEW YORK - JANUARY 11, 1991

LICENSEE	FOSTER WHEELER ENERGY CORP. P.O. BOX 490 DANVILLE, NY 14437	LICENSE NO.	31-01776-05	DOCKET NO.	3020630
LICENSEE	HARRIS, FREDERIC R. (INC.) 300 E. 42ND STREET NEW YORK, NY 10017	LICENSE NO.	31-20716-01	DOCKET NO.	3020759
LICENSEE	HEALTH & HUMAN SERVICES, DEPT. OF U.S. FOOD AND DRUG ADMINISTRATION, NEW YORK REGIONAL LABORATORY 850 THIRD AVENUE BROOKLYN, NY 11232	LICENSE NO.	31-09753-01	DOCKET NO.	3005543
LICENSEE	HEALTH & HUMAN SERVICES, DEPT. OF FOOD AND DRUG ADMIN. 599 DELAWARE AVE. BUFFALO, NY 14202	LICENSE NO.	31-09757-02	DOCKET NO.	3030492
LICENSEE	HEALTH & HUMAN SERVICES, DEPT. OF PUBLIC HEALTH SERVICES/FOOD & DRUG 850 THIRD AVENUE BROOKLYN, NY 12232-1593	LICENSE NO.	31-28300-01	DOCKET NO.	3030876
LICENSEE	HELBROS WATCHES, INC. 330 WEST 34TH STREET NEW YORK, NY 10001	LICENSE NO.	31-15993-01F	DOCKET NO.	3010161
LICENSEE	IMAGING AND SENSING TECHNOLOGY CORP. WESTINGHOUSE CIRCLE HORSEHEADS, NY 14845	LICENSE NO.	31-23721-01E	DOCKET NO.	3030624

ACTIVE FEDERAL NRC LICENSEES IN NEW YORK - JANUARY 11, 1991

LICENSEE	IMAGING AND SENSING TECHNOLOGY CORP WESTINGHOUSE CIRCLE HORSEHEADS, NY 14845	LICENSE NO	SNM-1982	DOCKET NO	7003061
LICENSEE	INSPECO, INC. 47 HUDSON STREET OSSINING, NY 10562	LICENSE NO	31-27937-01	DOCKET NO	3029692
LICENSEE	LOCKWOOD, KESSLER & BARTLETT, INC ONE AERIAL WAY SYOSSET, NY 11791	LICENSE NO	31-28193-01	DOCKET NO	3030544
LICENSEE	MANHATTAN COLLEGE MECHANICAL ENGINEERING DEPARTMENT MANHATTAN COLLEGE PARKWAY BRONX, NY 10471	LICENSE NO	SNM-1192	DOCKET NO	7002951
LICENSEE	MATERIALS TESTING LAB, INC 130-07 26TH AVE, SUITE 100 FLUSHING, NY 11354	LICENSE NO	31-19502-01	DOCKET NO	3017801
LICENSEE	MB-MICROTEC P O BOX 1174 NORTH TONAWANDA, NY 14120-9174	LICENSE NO	31-23712-01E	DOCKET NO	3030433
LICENSEE	NATIONAL PURIFICATION SYSTEMS 1500 MIDISLAND PLAZA HICKSVILLE, NY 11801	LICENSE NO	31-28109-01	DOCKET NO	3030250

ACTIVE FEDERAL NRC LICENSEES IN NEW YORK - JANUARY 11, 1991

LICENSEE	NDL ORGANIZATION, INC. P.O. BOX 791 PEEKSKILL, NY 10566	LICENSE NO.	31-12000-02	DOCKET NO.	3019705
LICENSEE	NEW YORK STATE UNIVERSITY RADIATION PROTECTION SERVICES STATE UNIV. OF NY AT BUFFALO 14 PARKER HALL BUFFALO, NY 14214	LICENSE NO.	SNM-273	DOCKET NO.	7000267
LICENSEE	NEW YORK STATE UNIVERSITY OF COLLEGE OF ENV. SCIENCE & FORESTRY SYRACUSE, NY 13210	LICENSE NO.	31-28185-01	DOCKET NO.	3030502
LICENSEE	NRD, INC. 2937 ALT BOULEVARD GRAND ISLAND, NY 14072	LICENSE NO.	31-28397-01G	DOCKET NO.	3031215
LICENSEE	NUCLEAR ASSOCIATES DIVISION OF VICTOREEN, INC. 100 VOICE ROAD CARLE PLACE, NY 11514	LICENSE NO.	31-15964-01E	DOCKET NO.	3010102
LICENSEE	OSRAM CORP 110 BRACKEN ROAD MONTGOMERY, NY 12549	LICENSE NO.	31-23515-01E	DOCKET NO.	3022294
LICENSEE	RADIAE RESEARCH CORPORATION 261 KENT AVENUE BROOKLYN, NY 11211	LICENSE NO.	31-17528-01	DOCKET NO.	3012908

ACTIVE FEDERAL NRC LICENSEES IN NEW YORK - JANUARY 11, 1991

LICENSEE	RENSSELAER POLYTECHNIC INST OFFICE OF RADIATION & NUCLEAR SAFETY TROY, NY 12180-3590	LICENSE NO	SNM-910	DOCKET NO	7000920
LICENSEE	ROLEX WATCH U. S. A., INC. 665 FIFTH AVENUE NEW YORK, NY 10022	LICENSE NO	31-05997-02E	DOCKET NO	3005527
LICENSEE	SADOVSKY, ROY (DVM) 17 TIFFANY CIRCLE NORTH HILLS, NY 11030	LICENSE NO	31-28369-01	DOCKET NO	3031085
LICENSEE	SATCO PRODUCTS, INC. 110 HEARTLAND BLVD BRENTWOOD, NY 11717	LICENSE NO	31-23705-01E	DOCKET NO	3030354
LICENSEE	SELF-POWERED LIGHTING, INC. 8 WESTCHESTER PLAZA ELMSFORD, NY 10523	LICENSE NO	31-15819-01E	DOCKET NO	3009842
LICENSEE	SIMMONDS PRECISION ENGINE SYS, INC. NORWICH-OXFORD ROAD NORWICH, NY 13815	LICENSE NO	31-15292-01E	DOCKET NO	3008878
LICENSEE	SOIL & MATERIAL TESTING, INC. 57 SOUTH MAIN STREET CASTLETON-ON-HUDSON, NY 12033	LICENSE NO	31-27860-01	DOCKET NO	3029345

ACTIVE FEDERAL NRC LICENSEES IN NEW YORK - JANUARY 11, 1991

LICENSEE	STEIDL M.D. RICHARD M. V. A. MEDICAL CENTER CASTLE POINT, NY 12511	LICENSE NO.	31-28011-01	DOCKET NO.	3029925
LICENSEE	STRATTON ENERGY ASSOCIATES C/O HYDRA-CO ENTERPRISES, INC. 100 CLINTON SQUARE, SUITE 400 SYRACUSE, NY 13202	LICENSE NO.	18-28290-01	DOCKET NO.	3030855
LICENSEE	TESTWEL, CRAIG LABS. 36-20 131H STREET LONG ISLAND CITY, NY 11106	LICENSE NO.	31-21456-01	DOCKET NO.	3020790
LICENSEE	TRANSPORTATION, DEPARTMENT OF MARITIME ADMINISTRATION U. S. MERCHANT MARINE ACADEMY KINGS POINT, NY 11024	LICENSE NO.	SUD-338	DOCKET NO.	4006194
LICENSEE	V. A. HOSPITAL (FDR) ROUTE 9A MONTROSE, NY 10548	LICENSE NO.	31-17455-01	DOCKET NO.	3012782
LICENSEE	V. A. MEDICAL CTR. 130 WEST KINGSBRIDGE ROAD BRONX, NY 10468	LICENSE NO.	31-00636-02	DOCKET NO.	3000383
LICENSEE	V. A. MEDICAL CTR. FIRST AVENUE AT 24TH STREET NEW YORK, NY 10010	LICENSE NO.	31-00032-04	DOCKET NO.	3002611

ACTIVE FEDERAL NRC LICENSEES IN NEW YORK - JANUARY 11, 1991

LICENSEE:	V. A. MEDICAL CTR 3495 BAILEY AVENUE BUFFALO, NY 14215	LICENSE NO.	31-00786-02	DOCKET NO.	3002618
LICENSEE	V. A. MEDICAL CTR 800 IRVING AVENUE SYRACUSE, NY 13210	LICENSE NO.	31-00845-01	DOCKET NO.	3002619
LICENSEE	V. A. MEDICAL CTR NUCLEAR MEDICINE 800 POLY PLACE BROOKLYN, NY 11209	LICENSE NO.	31-02892-03	DOCKET NO.	3002623
LICENSEE	V. A. MEDICAL CTR BATAVIA, NY 14020	LICENSE NO.	31-08946-02	DOCKET NO.	3009204
LICENSEE	V. A. MEDICAL CTR NUCLEAR MEDICINE SERVICE (115) 113 HOLLAND AVENUE ALBANY, NY 12208	LICENSE NO.	31-02755-05	DOCKET NO.	3010026
LICENSEE	V. A. MEDICAL CTR RADIOLOGY DEPT 800 POLY PLACE BROOKLYN, NY 11209	LICENSE NO.	31-02892-05	DOCKET NO.	3011781
LICENSEE	V. A. MEDICAL CTR CENTER DIRECTOR (00/11E) NORTHPORT, NY 11768	LICENSE NO.	31-13511-04	DOCKET NO.	3012712

ACTIVE FEDERAL MRC LICENSEES IN NEW YORK - JANUARY 11, 1991

LICENSEE	V. A. MEDICAL CTR. 130 WEST KINGSBRIDGE ROAD BRONX, NY 10468	LICENSE NO.	31-00638-07	DOCKET NO.	3017020
LICENSEE	V. A. MEDICAL CTR. BUILDING 1 NORTHPORT, NY 11768	LICENSE NO.	31-13511-05	DOCKET NO.	3019473
LICENSEE	V. A. MEDICAL CTR. 3495 BAILEY AVENUE BUFFALO, NY 14215	LICENSE NO.	SNM-1305	DOCKET NO.	7001331
LICENSEE	V. A. MEDICAL CTR. 800 POLY PLACE BROOKLYN, NY 11209	LICENSE NO.	SNM-1969	DOCKET NO.	7003042
LICENSEE	WEHRAN ENGINEERING 666 E. MAIN ST MIDDLETOWN, NY 10940	LICENSE NO.	31-24688-01	DOCKET NO.	3029156
LICENSEE	WEHRAN ENGINEERING 666 EAST MAIN STREET MIDDLETOWN, NY 10940	LICENSE NO.	31-27818-01	DOCKET NO.	3029158

which may require sleeving, the licensee could not provide an estimate of the total occupational dose for the sleeving activities. However, the licensee did provide information by letter dated November 21, 1990 that the estimated dose would be approximately 96 mrem per sleeve. While this is somewhat higher than the estimated dose for plugging tubes, the alternative repair method currently approved for use at the facility, this compares favorably with industry experience for similar repairs. In addition, it is expected that the dose for the proposed sleeving action would fall within the expected range for annual occupational exposure experienced at nuclear power plants. On this basis, the staff believes that the proposed action will not involve a significant increase in individual or cumulative radiation exposure. Accordingly, the Commission concludes that this proposed action would result in no significant radiological environmental impact.

With regard to potential non-radiological impacts, the proposed change to the TS involves systems located within the restricted area as defined in 10 CFR part 20. It does not affect non-radiological plant effluents and has no other environmental impact. Therefore, the Commission concludes that there are no significant non-radiological environmental impacts associated with the proposed amendment.

The Notice of Consideration of Issuance of Amendment and Opportunity for Hearing in connection with this action was published in the Federal Register on October 16, 1990 (55 FR 42526). No request for hearing or petition for leave to intervene was filed following this notice.

Alternative to the Proposed Action

Since the Commission concluded that there are no significant environmental effects that would result from the proposed action, any alternatives with equal or greater environmental impacts need not be evaluated.

The principal alternative would be to deny the requested amendment. This would not reduce environmental impacts of plant operation and would result in reduced operational flexibility.

Alternative Use of resources

This action does not involve the use of any resources not previously considered in the Final Environmental Statements for the Donald C. Cook Nuclear Plant

Units 1 and 2, dated August 1973.

Agencies and Persons Consulted

The NRC staff reviewed the licensee's request and did not consult other agencies or persons.

Finding of No Significant Impact

The Commission has determined not to prepare an environmental impact statement for the proposed license amendment.

Based upon the foregoing environmental assessment, we conclude that the proposed action will not have a significant effect on the quality of the human environment.

For further details with respect to this action, see the application for amendment dated June 27, 1990 and a supplement dated October 9, 1990, which are available for public inspection at the Commission's Public Document Room, 2120 L Street, NW., Washington, DC and at the Maude Preston Palenske Memorial Library, 500 Market Street, St. Joseph, Michigan 49085.

Dated at Rockville, Maryland, this 27th day of November 1990.

For the Nuclear Regulatory Commission,

Robert C. Pierson,

Director, Project Directorate III-1, Division of Reactor Projects—III, IV, V and Special Projects, Office of Nuclear Reactor Regulation.

[FR Doc. 90-28379 Filed 12-3-90; 845 am]

BILLING CODE 7590-01-M

Recommendations on the Title Transfer Provisions of the Low-Level Radioactive Waste Policy Amendments Act of 1985

AGENCY: Nuclear Regulatory Commission.

ACTION: SECY 90-318 for comment.

SUMMARY: The Nuclear Regulatory Commission (NRC) is announcing the availability of SECY 90-318 "Low-Level Radioactive Waste Policy Amendments Act Title Transfer and Possession Provisions" (dated September 12, 1990) for public comment. SECY 90-318 is available in the NRC Public Document Room, 2120 L Street, Washington, DC, telephone (202) 634-3273.

DATES: The comment period expires January 31, 1991.

ADDRESSES: Send written comments to James Kennedy, Office of Nuclear Materials Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, or hand deliver comments to 11555 Rockville Pike,

Rockville, MD between 7:30 a.m. and 4:15 p.m.

FOR FURTHER INFORMATION CONTACT: James Kennedy, Office of Nuclear Materials Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555; telephone (301) 492-3401.

DISCUSSION: The Nuclear Regulatory Commission (NRC) staff has prepared an analysis of the issues associated with the waste title transfer and possession provisions of the Low-Level Radioactive Waste Policy Amendments Act (LLRWPA) of 1985. The staff's analysis also identifies options for discharging the Commission's responsibilities under the Atomic Energy Act and LLRWPA. Major issues related to these provisions include States taking possession of commercial low-level radioactive waste (LLW) after 1993 or 1996 in accordance with the LLRWPA and licensing of such possession (including interim storage of the LLW until disposal facilities are available) by NRC and Agreement States. These issues and staff's recommendations were summarized in SECY 90-318 and discussed in a public meeting of the Commission on October 28, 1990.

During the meeting, the Commission decided to solicit the views of the public on the staff recommendations provided in SECY 90-318. The Commission will consider these views in deciding on an appropriate course of action. In addition to the public's general views on the title transfer and possession provisions of the LLRWPA, the Commission is particularly interested in comments in response to the following questions:

1. What factors should the Commission consider in deciding whether to authorize on-site storage of LLW (other than storage for a few months to accommodate operational needs such as consolidating shipments or holding for periodic transfer or decay) beyond January 1, 1993?
2. What are the potential health and safety and environmental risks of increased reliance on on-site storage of LLW?
3. Would LLW storage for other than operational needs beyond January 1, 1993, have an adverse impact on the incentive for timely development of permanent disposal capacity?
4. What specific administrative, technical, or legal issues are raised by the requirements for transfer of title?
5. What are the advantages and disadvantages of transfer of title and possession as separate steps?
6. Could any State or local laws interfere with or preclude transfer of

title or possession of LLW?

7. What assurances of the availability of safe and sufficient disposal capacity for LLW should the Commission require and when should it require them? What additional conditions, if any, should the Commission consider in reviewing such assurances?

8. Are there any other specific issues that would complicate the transfer of title and possession, as well as on-site storage, of LLW and mixed (radioactive and chemical hazardous) waste?

Dated at Rockville, Maryland, this 28th day of November, 1990.

For the Nuclear Regulatory Commission.

Samuel J. Chilk.

Secretary of the Commission.

[FR Doc. 90-28382 Filed 12-3-90; 8:45 am]

BILLING CODE 7590-01-M

Draft Regulatory Guide and NUREG; Issuance, Availability

The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment a draft of a new guide planned for its regulatory guide series together with a draft of the associated standard review plan for license renewal. This draft guide and the associated standard review plan are being issued to involve the public in the early stages of the development of regulatory guidance in the area of license renewal.

The draft guide, temporarily identified by its task number, DG-1009 (which should be mentioned in all correspondence concerning this draft guide), is titled, "Standard Format and Content of Technical Information for Applications To Renew Nuclear Power Plant Operating Licenses," and is intended for Division 1, "Power Reactors." The draft regulatory guide establishes a uniform format and content acceptable to the staff for structuring and presenting the technical information to be compiled and submitted by an applicant for a renewed operating license. More specifically, this draft regulatory guide describes (1) the content of technical information to be included in license renewal applications, (2) the criteria for selection of structures, systems and components important to license renewal for which age-related degradation should be assessed and accounted for, (3) guidance for the evaluation of design, operational, and environmental factors that contribute to age-related degradation, (4) the identification of aging mechanisms and specific degradation locations, and (5) the attributes of established effective

programs and acceptable actions taken or to be taken to assess and manage age-related degradation. Additionally, detailed guidance for identifying, assessing and managing age-related degradation is contained in Appendix A to this draft regulatory guide.

The NRC is developing the draft "Standard Review Plan for License Renewal," (SRP-LR) for use by the NRC staff when performing safety reviews of applications for the renewal of power reactor licenses. The use of the SRP-LR when reviewing license renewal applications provides a framework for the staff to determine whether or not (1) the application is sufficient to allow the timely renewal provisions of 10 CFR 2.109 to apply, (2) systems, structures, and components important to license renewal have been identified, (3) significant age-related degradation has been identified and its effects evaluated, and (4) programs for age-related degradation management have been or will be implemented such that the current licensing basis will be maintained during the renewal term. The draft SRP-LR has been developed to enable the staff to identify areas and issues requiring review, and provides acceptance criteria to assist the reviewers.

The review criteria in the SRP-LR were developed by the NRC staff with assistance from experienced technical experts at both Pacific Northwest and Idaho National Engineering Laboratories. The criteria represent current knowledge and technical judgments on aging phenomena and age-related degradation management strategies. Although, in many instances, review procedures and acceptance criteria are not specified in detail, general guidance is provided. The staff expects that the SRP-LR will be periodically revised to include additional detail based on our review of the pilot-plant applications and the industry technical reports.

Public comments are being solicited on the draft regulatory guide and the draft standard review plan for license renewal. Comments should be accompanied by supporting data. In particular for the draft SRP-LR, written comments are desired in the following areas:

(1) Are there specific additional review criteria or review procedures for a system, structure, or component? Provide the supporting technical basis for these items.

(2) Are there specific review criteria or review procedures already in the document that should be modified?

DATES: The comment period expires March 8, 1991. Comments received after this date will be considered if it is practical to do so, but the Commission is able to assure consideration only for comments received on or before this date.

ADDRESSES: Written comments may be submitted to the Regulatory Publications Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Copies of comments received may be examined at the Commission's Public Document Room, the Gelman Building, 2120 L Street NW, (lower level), Washington, DC.

The draft regulatory guide and the draft SRP-LR are available for inspection at the Commission's Public Document Room, the Gelman Building 2120 L Street NW, (lower level), Washington, DC. Requests for single copies of the draft guide and draft SRP-LR (which may be reproduced) or for placement on an automatic distribution list for single copies of future draft guides in specific divisions should be made in writing to the U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Director, Division of Information Support Services. Telephone requests cannot be accommodated. Regulatory guides and NUREGs are not copyrighted, and Commission approval is not required to reproduce them.

FOR FURTHER INFORMATION CONTACT: For information concerning the draft regulatory guide contact Mr. Jitendra Vora, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone: (301) 492-3854. For information regarding the draft SRP-LR contact Mr. John Thoma, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone: (301) 492-3146.

Dated at Rockville, Maryland, this 26th day of November, 1990.

For the Nuclear Regulatory Commission.

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Director, Division of Engineering, Office of Nuclear Regulatory Research.

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