

Record of WebEx Q&A Session

NUCLEAR REGULATORY COMMISSION

Title: Category 3 Meeting on Draft Interpretive Rule for Very Low-level Waste (VLLW) Disposal Activities

Docket Number: (n/a)

Location: Teleconference / Webinar

Date: Monday, March 30, 2020

Earl Fordham - 11:01 AM

Q: How do you take into account say 50 years of rad waste at an "authorized recipient?"

Marlayna Doell - 11:07 AM

A: Thanks Earl. I will note your question to the speakers.

Martin Karr - 11:16 AM

Q: How much time and/or cost does NRC expect from the licensee, disposal facility, and NRC for preparation, review and approval for this process?

Marlayna Doell - 11:24 AM

A: Thanks Martin. We will add this to the list of comments/considerations for next steps.

Vern Rogers - 11:16 AM

Q: If Agreement States seek to grant exemptions per 20.2001, what public information should be required to be disclosed so that an informed comment can be provided?

Marlayna Doell - 11:25 AM

A: Thanks Vern. I will add this to our list of comments/considerations for moving forward with this topic.

Marcus Quinlan - 11:17 AM

Q: Will the evaluated cumulative dose from all disposal include a dose from radon?

Marlayna Doell - 11:27 AM

A: Thanks Marcus. I will add this to our list of comments/considerations for moving forward with this topic.

Vern Rogers - 11:18 AM

Q: How does the proposed interpretative rule impact governance by the LLRW Compact system? If exempted from licensed disposal, would a licensee be exempt from LLRW Compact requirements?

Marlayna Doell - 11:29 AM

A: Thanks for this too Vern!

Holly Harris - 11:22 AM

Q: Snake River Alliance in Idaho uniformly opposes both the substantive and procedural aspects of this effort. At a minimum, NRC should not proceed with this reckless proposal when the public cannot participate due to the international COVID-19 health crisis!

Marlayna Doell - 11:35 AM

A: Thanks Holly. I will add this to our list of comments/considerations for moving forward with this topic.

Jim Lieberman - 11:22 AM

Q: 1) will the NRC require the performance objectives of Part 61 be met?

Jim Lieberman - 11:24 AM

Q: 2) since RCRA sites need not be owned by a government after closure, how will the intruder be assessed?

Jim Lieberman - 11:24 AM

Q: 3) how will the NRC monitor compliance with the terms of the exemption?

Jim Lieberman - 11:25 AM

Q: 4) why not license these facilities rather than the use of exemptions?

Marlayna Doell - 11:37 AM

A: Thanks Jim. I will add these to our list of comments/considerations for moving forward with this topic.

Earl Fordham - 11:25 AM

Q: Did the public comment period get extended? I was told the NRC hoped to have a decision by this meeting.

Marlayna Doell - 11:39 AM

A: Hi Earl. We will address this at the end, but yes we are considering an extension and should determine the duration after this meeting.

Laura Schwartz - 11:27 AM

Q: Process question for today - will NRC panelists be answering questions today, or just taking questions and comment without answering?

Jim Lieberman - 11:27 AM

Q: 5) how does this proposal differ from the process envisioned by the notice of proposed rulemaking issued in the 2002/3 period?

Lynn Anderson - 11:30 AM

Q: UNACCEPTABLE TO EXEMPT Here in Youngstown, Ohio: PA's Marcellus fracking waste with Radium 226 and Radium 228 has been trucked in and downblended in the open air, then trucked to Poland Landfill where it set off alarms NEED MORE REGULATION, PROTECTION!

Marlayna Doell - 11:40 AM

A: Thanks Lynn. I will add this to our list of comments/considerations for moving forward with this topic.

Pat Marida - 11:35 AM

Q: Are you at the NRC planning to track where all this waste will be going, so your grandchildren and great grandchildren can avoid the birth defects, cancers and anemia that will affect the rest of us?

Marlayna Doell - 11:40 AM

A: Thanks Pat. I will add this to our list of comments/considerations for moving forward with this topic.

Lleonard Slosky - 11:36 AM

Q: Given the current work environment a significant extension to the comment period should be granted. Submitted by the Rocky Mountain LLW Compact

Marlayna Doell - 11:44 AM

A: Thanks Leonard. We will address this at the end, but yes we are considering an extension and should determine the duration after this meeting.

Dan Shrum - 11:37 AM

Q: Several commenters have mentioned that there is no e-mail address. The FRN provides an e-mail address - is that address only valid for questions about the FRN?

Marlayna Doell - 11:45 AM

A: Hi Dan. The email address is indeed primarily for asking questions and not submitting comments. We prefer that the comments come in over regulations.gov whenever possible.

Vern Rogers - 11:39 AM

Q: NRC discussed transparency by authorized recipient on what could be accepted. How will NRC and Agreement states ensure transparency?

Charma Waring - 11:42 AM

Q: What measures would be put in place to prevent access to the waste sites by the public? What would stop individuals from gaining access to the materials and prevent them from using the material and using it to make Radiological Dispersal Devices?

Marlayna Doell - 11:46 AM

A: Thanks Charma. I will add this to our list of comments/considerations for moving forward with this topic.

Lynn Anderson - 11:42 AM

Q: Yes, Attorney Terry Lodge is correct, the radium from fracking is accumulating here and we already have ENOUGH of a TOXIC load! We have a LOT of cancer here now, and do not need it to keep increasing!

Lynn Anderson - 11:44 AM

Q: Sounds like Tennessee and Texas need to get some regulations to protect their citizens. We do NOT need a "race to the bottom!"

Steve Erickson - 11:45 AM

Q: How will this proposed change affect processing and disposal of "alternate feed material"? How will this affect the roles of other federal agencies' review and permitting of waste disposal facilities (e.g. Army Corps of Engineers 404 permits)? What requirements will be put in place for post-closure clean up and assurance.

Marlayna Doell - 11:48 AM

A: Thanks Steve. I will add these to our list of comments/considerations for moving forward with this topic.

Steve Erickson - 12:04 PM

Q: How does the NRC expect state and local regulatory authorities to inspect, oversee, and assure compliance with other state and local rules, statutes and standards?

Steve Erickson - 12:06 PM

Q: Doesn't this amount to an unfunded mandate and a federal usurpation of state regulatory primacy?

John Greeves - 12:10 PM

Q: What is NRC definition of VLLW?

Priority: N/A-

Marlayna Doell - 12:13 PM

A: Thanks John. This is a topic we want to address in the proposed interpretive rule, so I will make sure this comment is added to the list.

John Greeves - 12:12 PM

Q: Reopening the Disposition of Solid Materials rulemaking back in 2004 would be a better approach.

Marlayna Doell - 12:16 PM

A: Good comment. Thanks for this as well.

Lynn Anderson - 12:18 PM

Q: Yes, Ms. Martinez! Work for Humanity, not the profits of the nuclear industry!

John Greeves - 12:18 PM

Q: This proposal will undermine currently licensed disposal sites.

Jim Lieberman - 12:33 PM

Q: 5) If a site-specific analysis will need to be made, why not just issue a license?

Marlayna Doell - 12:43 PM

A: Thanks Jim...I will add this to the comment list.