



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

OCT 20 1992

MEMORANDUM FOR: John H. Austin, Chief  
Decommissioning and Regulatory  
Issues Branch  
Division of Low-Level Waste Management  
and Decommissioning, NMSS

FROM: Michael F. Weber, Section Leader  
Decommissioning and Regulatory  
Issues Branch  
Division of Low-Level Waste Management  
and Decommissioning, NMSS

SUBJECT: SPECIAL TOPICS WORKSHOP, SEPTEMBER 28-30, 1992

On September 28-30, 1992, I participated in the Special Topics Workshop for Agreement States, which was convened by the Office of State Programs in Houston, Texas. The workshop was attended by 26 of the 29 Agreement States and included a representative of the Atomic Energy Control Board of Canada. The focus of the workshop was on environmental issues associated with materials and low-level waste licensing. These issues included a wide range of topics, such as waste incineration and compaction, sewer reconcentration, recycling, contaminated scrap metal, decommissioning, ALARA, and mixed waste. Enclosure 1 provides an agenda for the workshop along with a list of participants.

In response to a request from the Office of State Programs, I presented an overview of the NRC's Memorandum of Understanding (MOU) with the Environmental Protection Agency (EPA) and summarized the status of the ongoing interface activities with EPA. The State representatives appreciated the update about current NRC-EPA interface activities. Many of them had heard about some of our interface activities, but few previously appreciated the complexity and variety of the activities or how they were interrelated. I particularly emphasized our cooperative activities with EPA in support of rescinding Subpart I of 40 CFR Part 61 for facilities other than nuclear power reactors. Along with Cheryl Trottier from the Office of Nuclear Regulatory Research, I reviewed the contents of the NRC-EPA MOU on Subpart I and discussed the draft regulatory guide on ALARA for effluents from materials facilities. None of the State representatives expressed concern about the selection of the 10 mr/yr EDE dose value as an ALARA goal for liquid and air effluents from materials facilities. My private conversations with the State representatives afterwards confirmed that most materials facilities should not have difficulty in meeting a 10 mr/yr goal for ALARA for effluents.

200034  
9211040097 921020  
PDR WASTE PDR  
WM-3

*delete: ACNW*

*406.1.9  
WM-3  
NH4*

OCT 20 1992

John H. Austin

- 2 -

The State representatives who attended the workshop complimented NRC for holding the workshop and actively participated in the discussions and presentations. Several industry representatives also participated in the workshop to discuss industry efforts to address the issues of detecting contaminated steel at smelters and removing radiological materials from liquid effluents from nuclear laundry facilities. Each of the presentations included discussion amongst the participants. These discussions raised several suggestions or recommendations for future action by NRC and the Agreement States; I have noted potential action items in Enclosure 2 based on these discussions.

In my opinion, the workshop was successful and one of the best NRC-sponsored workshops that I have attended. I was especially impressed with the competency of the State representatives who participated in the discussions. This interaction once again confirmed the viability and validity of the "co-regulator" relationship between NRC and the Agreement States. In addition, I appreciated the opportunity to participate in the workshop because the topics were directly or indirectly relevant to the mission of our Branch.

I particularly call your attention to the first action item on sewer reconcentration listed in Enclosure 2, which involves a proactive approach to resolving a potential dual regulatory issue under the Clean Water Act. The State representatives were particularly interested in attempting to resolve this issue in the near future under the Atomic Energy Act before it reaches a perceived "crisis" level. The State contacts established at the workshop will be valuable if the Division decides to move forward with resolving these issues.

Thank you for the opportunity to participate in the workshop. It was well worth my time and effort. Please contact me if you have any questions or would like to discuss the action items. If you decide to pursue the action items, I suggest that we meet with the Office of State Programs and the Division of Industrial and Medical Nuclear Safety to agree on an appropriate course of action and schedule.

*Michael F. Weber*

Michael F. Weber, Section Leader  
Decommissioning and Regulatory  
Issues Branch  
Division of Low-Level Waste Management  
and Decommissioning, NMSS

Enclosures:

1. Agenda and List of Participants
2. Action Items from Workshop

Oct 4 1992

Action Items for Consideration  
from Agreement States Special Topics Workshop,  
Houston, Texas, September 28-30, 1992

General Action Items

1. Assess reconcentration of radionuclide effluents in sewer lines and treatment plants, consider whether revisions are necessary to 10 CFR Part 20 to prevent significant exposures associated with potential reconcentration, and reach consensus on how to address the reconcentration issue with the Environmental Protection Agency (EPA) to avoid unnecessary duplicative regulation under the Atomic Energy Act and Clean Water Act under the NRC-EPA General Memorandum of Understanding. State representatives proposed adopting an approach similar to that used in assessing potential exposures associated with incinerator effluent to the air. Consider establishing a formal agreement with EPA through an MOU or comparable document. As a first step, we should revisit the user need letter transmitted from NMSS to RES on the sewer reconcentration issue.
2. Routinely inform a representative of the Conference of Radiation Control Program Directors (CRCPD) or the Organization of Agreement States about cooperative efforts between NRC and EPA under the MOU. This would provide a channel to communicate any State concerns.
3. Evaluate, on a generic basis, the appropriateness of using the liquid effluent concentration limits in 10 CFR Part 20, Appendix B, Table II, Column 2 as release limits for incinerator ash. This evaluation could support the ongoing development of a policy and guidance directive on incineration by the Division of Industrial and Medical Nuclear Safety (IMNS). The evaluation would consist of identification of reasonable exposure scenarios and a dose assessment for these scenarios to determine potential exposures if the ash were at the concentration limits in Appendix B (substituting  $\mu\text{Ci/g}$  for  $\mu\text{Ci/ml}$ ).
4. Assess the potential implications of restrictions on extended storage of low-level radioactive waste in ongoing decommissioning actions; ensure that necessary waste storage provisions (e.g., locations, facilities, financial assurance) are included in decommissioning plans.
5. Establish an interface with the new E-24 Committee on Decommissioning and Decontamination of the CRCPD (Initial Contact: Ralph Heyer, Texas Department of Health, (512) 834-6688).

Detailed Action Items

1. Arrange a Briefing for LLDR decommissioning project managers by Dave Fauver and/or Yawar Faraz to familiarize them with the guidance on the termination survey in NUREG/CR-5849.
2. Establish contact between Meg Harvey and Karim Rimawi (NY) and Henry Porter (SC) on detection and management of radioactive medical waste.
3. Inform Nick that the Agreement States like the guidance provided in NUREG/CR-4787 on licensing incinerators and compactors (produced by the CRCPD). Share the reports from the National Technical Advisory Committee on Mixed Waste Incineration with the Agreement States as the reports become available.
4. Send a copy of NRC's comments on EPA's risk assessment for NORM and the Task 5-7 Reports from the National Mixed Waste Profile to Dave Zaloudeck (LA).
5. Follow-up question raised by Zaloudeck (LA) about <sup>99</sup>Tc at the proposed Louisiana Energy Services facility in Louisiana and inform IMNS of State interest to resolve issues associated with the disposition of UF<sub>6</sub> now.
6. Inform Bill Brach (Low-Level Waste Management Branch) that the States like the monitoring guidance provided in NUREG/CR-4162 for low-level radioactive waste disposal facilities; inform LLWB of State concerns about the lack of guidance on acceptable sampling and analytical procedures for radionuclides in environmental media. Guidance would be helpful in addressing two particular issues: (1) how sensitive do analytical techniques have to be (i.e., provide a methodology to relate sensitivity to sampling objectives), and (2) can samples be collected using abnormal procedures (e.g., minimal well purging before sampling) and, if so, how should the information be used in regulating facilities.

# # #

OCT 20 1992

John H. Austin

- 2 -

nuclear laundry facilities. Each of the presentations included discussion amongst the participants. These discussions raised several suggestions or recommendations for future action by NRC and the Agreement States; I have noted potential action items in Enclosure 2 based on these discussions.

In my opinion, the workshop was successful and one of the best NRC-sponsored workshops that I have attended. I was especially impressed with the competency of the State representatives who participated in the discussions. This interaction once again confirmed the viability and validity of the "co-regulator" relationship between NRC and the Agreement States. In addition, I appreciated the opportunity to participate in the workshop because the topics were directly or indirectly relevant to the mission of our Branch.

I particularly call your attention to the first action item on sewer reconcentration listed in Enclosure 2, which involves a proactive approach to resolving a potential dual regulatory issue under the Clean Water Act. The State representatives were particularly interested in attempting to resolve this issue in the near future under the Atomic Energy Act before it reaches a perceived "crisis" level. The State contacts established at the workshop will be valuable if the Division decides to move forward with resolving these issues.

Thank you for the opportunity to participate in the workshop. It was well worth my time and effort. Please contact me if you have any questions or would like to discuss the action items. If you decide to pursue the action items, I suggest that we meet with the Office of State Programs and the Division of Industrial and Medical Nuclear Safety to agree on an appropriate course of action and schedule.

151  
Michael F. Weber, Section Leader  
Decommissioning and Regulatory  
Issues Branch  
Division of Low-Level Waste Management  
and Decommissioning, NMSS

Enclosures:

1. Agenda and List of Participants
2. Action Items from Workshop

Distribution: Central File NMSS r/f LLWM r/f RBangart WBrach JAustin  
JSurmeier MWeber TCJohnson LLDR r/f VMiller JMeyers CJones YFaraz  
RMeck DCool CTrottier DOrlando MHarvey  
PDR: Yes X No      Category: Proprietary      or CF Only       
ACNW: Yes      No X  
SUBJECT ABSTRACT: AGREEMENT STATES SPECIAL TOPICS WORKSHOP

OFC	LLDR <u>M</u>	LLDR <u>J</u>			
NAME	MWeber	JAustin			
DATE	10/16/92	10/20/92			

ENCLOSURE  
2  
ONLY  
RETURN  
ENCLOSURE  
TO  
M. WEBER