

Comments on the Redefining of High-Level Radioactive Waste

As an individual who has been involved in the debate over the production¹⁶ of nuclear wastes for the last ten years, and as a former candidate for the United States House of Representatives, I would like to suggest a manner in which you could define what is included in the category called "high-level radioactive waste". The hopes and concerns of the people of the United States are predicated on the firm belief that their government will do what is in the best interest of the health and welfare of all the citizens.

States are responsible for most commercial "low level" radioactive waste generated within their boundaries. The 1985 Low-Level Radioactive Waste Policy Amendments Act (Section 3) confirmed that states are responsible for Classes A, B, and C "low-level" waste but that the federal government will be responsible for the Above Class C "low-level" waste. As with high-level radioactive waste, the U.S. Department of Energy, licensed by the Nuclear Regulatory Commission, is responsible for waste Above Class C.

If portions of the "low-level" waste category are redefined as high-level waste, states' responsibilities would be significantly reduced. This is justifiable because states have no authority over the production of the vast majority of the long-lived radioactive waste produced within their boundaries i.e. the waste generated by nuclear power plants which are federally licensed with minimal state approval or control. Most states are not able to isolate materials from the environment for hundreds to hundreds of thousands of years. Even the federal government has not succeeded -- many dumps have leaked in less than 20 years. It will require a unified national effort to completely isolate long-lived material from the environment with zero-leakage.

The NRC should continue to consider all the liquid and sludge from reprocessing, and the solids into which some of the liquids are eventually converted, "high-level" radioactive waste. The NRC should also redefine parts of the "low-level" waste category as "high-level" waste. Since the NRC's regulations (10 CFR Part 61) on disposal of "low-level" radioactive waste require an institutional control period of only 100 years and much of the "low-level" waste will be hazardous for much longer than 100 years, a strong argument can be made for redefining the long-lived portion of the waste as high level.

NRC should consider materials that are either long-lived or highly radioactive or both, "high-level radioactive waste." They should not need to be both.

There are many examples of "low-level" radioactive wastes which are intensely radioactive or contain long-lived radionuclides, or both, and should be reclassified into the high level waste category. (Reactor Pressure Vessels, Irradiated Primary System Components and Piping, and Other reactor internals.)

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