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NATURAL RESOURCES

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Office of Administration
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Attn: Program Management
Announcements and Editing Staff
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

COMMENT (746)
PUBLICATION DATE: 3/6/2020
CITATION 85 FR 13076

RE: Transfer of Very Low-Level Waste to Exempt Persons for Disposal
(Docket ID NRC-2020-0065)

To Whom It May Concern:

The Missouri Department of Natural Resources appreciates the opportunity to provide comments regarding the Nuclear Regulatory Commission's (NRC's) proposed interpretive rule for "Transfer of Very Low-Level Waste (VLLW) to Exempt Persons for Disposal." The Department offers the following comments in response to NRC's specific requests found in the Federal Register.

Question 1: This interpretive rule would authorize the transfer of licensed material to persons who hold specific exemptions for disposal without a case-by-case review and approval of the transfers. Do you think that case-by-case review and approval of these transfers is necessary?

Department Response to Question 1: So long as NRC continues to conduct the analysis discussed in Part V of the Federal Register Notice for each proposed exemption, and require those parameters necessary to ensure cumulative disposal at the exempted site remains protective of human health and the environment, case-by-case reviews of every transfer to a person with a specific exemption for disposal are not necessary.

Question 3: 10 C.F.R. § 20.2006 states that "[a]ny licensee shipping radioactive waste intended for ultimate disposal at a licensed land disposal facility must document the information required on NRC's Uniform Low-Level Radioactive Waste Manifest and transfer this recorded manifest information to the intended consignee in accordance with appendix G to 10 CFR part 20." Should the exempt persons authorized to dispose of certain VLLW that would be considered 10 C.F.R. § 20.2001 "authorized recipients" under this proposed interpretive rule be required to use Uniform Waste Manifests (consistent with 10 C.F.R. § 20.2006) for waste transferred to the exempted disposal facility?

Department Response to Question 3: Yes. The Department recommends the "authorized recipients" or shipper be required to use Uniform Waste Manifests, the same form used for other similar radioactive shipments. The Uniform Low-Level Radioactive Waste Manifests are

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required by the NRC to meet reporting requirements of federal and state agencies for the safe transportation and disposal of low-level waste. The information on these shipping papers is not only important to first responders during an incident involving radioactive material, but also allows for consistent recording of the levels of radioactivity being added to the disposal site.

Section 260.392 of the Revised Statutes of Missouri requires the shipper of low-level radioactive waste, which includes VLLW, to supply a notice and pay a fee before shipping through Missouri. Requiring “authorized recipients” to use Uniform Waste Manifests allows for consistency and avoids confusion for shippers, emergency responders, and others.

We appreciate the opportunity to provide comments on this proposed interpretive rule. If you have any questions or need further clarification, please contact Mr. Justin Buckler at 573-526-4076. Address any written correspondence to my attention at the Missouri Department of Natural Resources, P.O. Box 176, Jefferson City, MO 65102-0176.

Sincerely,

DIVISION OF ENVIRONMENTAL QUALITY



Carey Bridges, R.G.
Deputy Director