

DOCKET NUMBER
PETITION RULE PRM 20-21
(58FR47676)

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NUCLEAR REGULATORY COMMISSION

OFFICE OF
REGULATORY
ADMINISTRATION

10 CFR Part 20

Docket No. PRM-20-21

Keith J. Schiager, Ph.D.; Withdrawal of Petition for Rulemaking

AGENCY: Nuclear Regulatory Commission.

ACTION: Petition for rulemaking; withdrawal.

SUMMARY: The Nuclear Regulatory Commission (NRC) is withdrawing, at the petitioner's request, a petition for rulemaking (PRM-20-21) (58 FR 47676, September 10, 1993) filed by Keith J. Schiager, Ph.D., on behalf of the University of Utah, Salt Lake City, Utah. In PRM-20-21, the petitioner requested that the Commission amend its regulations in 10 CFR Part 20 that became mandatory for all licensees on January 1, 1994, to permit additional methods for disposal of certain low-level radioactive wastes. The petitioner stated that the regulations that became mandatory for all licensees on January 1, 1994, are too restrictive and prevent many research institutions from pursuing certain types of research that cannot be conducted effectively without the use of radioactive materials. In withdrawing his petition, the petitioner stated that he concurred with the staff view expressed in a letter dated October 1, 1999 that the essence of the petition was addressed in part by the proposed changes to 10 CFR Part 35.

ADDRESSES: A copy of the petitioner's letter, dated October 5, 1999, requesting the withdrawal of the petition is available for public inspection at the NRC Public Document Room located at 2120 L Street NW. (Lower Level), Washington, DC 20012-7082, telephone: (202) 634-3273.

PDR PRM 20-21

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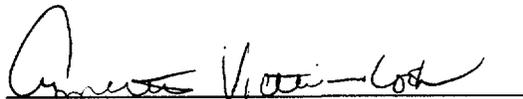
FOR FURTHER INFORMATION CONTACT: James A. Smith, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-6459, e-mail jas4@nrc.gov.

SUPPLEMENTARY INFORMATION:

On September 10, 1993 (58 FR 47676), the NRC published in the Federal Register a notice of receipt of a petition for rulemaking PRM-20-21 that requested NRC to permit the disposal of certain low-level radioactive wastes containing very low concentrations of short-lived radionuclides. Based upon the petitioner's letter dated October 5, 1999, the NRC is withdrawing this petition for rulemaking. The basis for this withdrawal is that the current NRC rulemaking for 10 CFR Part 35, "Medical Use of Byproduct Material," with respect to the decay in storage disposal requirements in 10 CFR 35.92, will address many of the concerns in the petition. In addition, on a case-by-case basis, based upon an analysis and the determination by NRC staff of the procedures and technologies proposed by the licensee, the incineration of other flammable and bio-hazardous waste contaminated with isotopes other than carbon-14 and tritium may be allowed through license conditions that require the effluent and disposal of the ash to meet the requirements in 10 CFR Part 20.

Dated at Rockville, Maryland, this 17th day of November, 1999.

For the Nuclear Regulatory Commission.



Annette L. Vietti-Cook,
Secretary of the Commission.