

Very Low-Level Waste Scoping Study

**February 22, 2018
NRC Public Meeting
Rockville, MD**

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Overview



LLW Programmatic Assessment

- Strategic Assessment - 2007 ([SECY-07-0180](#))
 - Coordinate with other agencies on consistency in regulating low activity waste disposal
 - Develop guidance that summarizes disposition options for low-end materials and waste
 - Promulgate rule for disposal of low-activity waste (now termed very low-level waste)
- Programmatic Assessment – 2016 ([SECY-16-0118](#))
 - Perform LAW Scoping Study (renamed VLLW Scoping Study)
 - 20.2002 guidance document revision to improve alternate disposal request process

Why Perform a Very Low-Level Waste Scoping Study?

- Increase in priority
 - Changes in timing of decommissioning
- Recognize the potential opportunity to improve regulatory efficiency and effectiveness
- Consider alignment with international standards and practices

VLLW Scoping Study

PURPOSE:

- Identify possible options to improve and strengthen the NRC's regulatory framework for very low-level waste (VLLW) disposal
- Risk-informed and performance based approach for the management of VLLW

VLLW Scoping Study Considers Available Information

- National Academy of Sciences
- Electric Power Research Institute
- U.S. Environmental Protection Agency
- Health Physics Society
- International Atomic Energy Agency



VLLW Scoping Study

Possible Outcomes

- Rulemaking
- Guidance documents
- Coordination with other agencies
- Further analysis
- No action

Notice of VLLW Scoping Study and Request for Comment

- NRC published in the *Federal Register*, on February 14, 2018 (83 FR 6619), notice of the VLLW Scoping Study and request for comment
- Respondents were asked to consider specific questions posed by the NRC staff

Federal Register Notice Questions

1. The United States does not have a formal regulatory definition of VLLW. What should the NRC consider in developing its own regulatory definition for VLLW? Is there another definition of VLLW that should be considered? Provide a basis for your response.

Federal Register Notice Questions

2. The existing regulatory framework within 10 CFR 61.55 divides low-level radioactive waste into four categories: Class A, Class B, Class C, and Greater Than Class C. Should the NRC revise the waste classification system to establish a new category for VLLW? What criteria should NRC consider in establishing the boundary between Class A and VLLW categories?

Federal Register Notice Questions

3. The NRC's alternative disposal request guidance entitled, "Review, Approval, and Documentation of Low-Activity Waste Disposals in Accordance with 10 CFR 20.2002 and 10 CFR 40.13(a)," which is undergoing a revision, allows for alternative disposal methods that are different from those already defined in the regulations and is most often used for burial of waste in hazardous or solid waste landfills permitted under the Resource Conservation and Recovery Act (RCRA). Should the NRC expand the existing guidance to include VLLW disposal or consider the development of a new guidance for VLLW disposal? Why or why not?

Federal Register Notice Questions

4. If the NRC were to create a new waste category for VLLW in 10 CFR Part 61, what potential compatibility issues related to the approval of VLLW disposal by NRC Agreement States need to be considered and addressed? How might defining VLLW affect NRC Agreement State regulatory programs in terms of additional responsibilities or resources?

Federal Register Notice Questions

5. Following the Low-Level Radioactive Waste Policy Amendments Act of 1985, states formed regional compacts for the disposal of low-level radioactive waste. If the NRC were to create a new waste category for VLLW, does it fall within regional compact authority to control VLLW management and disposal? How might defining VLLW affect regional compacts in terms of additional responsibilities or resources?

Federal Register Notice Questions

6. Environmental Protection Agency-imposed waste analysis requirements for facilities that generate, treat, store, and dispose of hazardous wastes are defined in 40 CFR Parts 264 through 270. How would NRC incorporate and apply waste analysis requirements for VLLW at RCRA Subtitle C and D facilities? Should the NRC impose concentration limits and/or treatment standards for VLLW disposal?

***Federal Register* Notice Questions**

7. Are there any unintended consequences associated with developing a VLLW waste category?

***Federal Register* Notice Questions**

8. What analytical methods/tools should be used to assess the risk of disposing of VLLW at licensed LLW disposal facilities or RCRA Subtitle C and D facilities? (i.e., generic or site-specific)

***Federal Register* Notice Questions**

9. How should economic factors be considered in the VLLW Scoping Study?

Stakeholder Outreach and Involvement

- Updated information on VLLW found on NRC Website:
<https://www.nrc.gov/waste/llw-disposal.html>
- *Federal Register* Notice to Conduct VLLW Scoping Study and Request for Comment (83 FR 6619): Feb. 14, 2018
- VLLW Scoping Study Public Comment Period:
Feb. 14, 2018 – May 15, 2018
- Public Meetings:
Feb. 22, 2018 (NRC) and March 23, 2018 (Phoenix, AZ)

How to Provide Comments

- Federal Rulemaking Website:
Go to <http://www.regulations.gov> and search for Docket ID **NRC-2018-0026**
- Mail comments (reference Docket ID **NRC-2018-0026** in subject line) to:
May Ma
Office of Administration
Mail Stop: OWFN-2-A13
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Comment period ends May 15, 2018

For Additional Information:

- Federal Rulemaking Website:
Go to <http://www.regulations> and search for Docket ID **NRC-2018-0026**
- NRC's Public Web Site for VLLW:
<https://www.nrc.gov/waste/llw-disposal.html>
- NRC Contacts:
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Questions?

