



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

February 16, 2018

ALL AGREEMENT STATES, VERMONT, WYOMING

U.S. NUCLEAR REGULATORY COMMISSION FEDERAL REGISTER NOTICE AND PUBLIC MEETING REGARDING THE VERY LOW-LEVEL RADIOACTIVE WASTE SCOPING STUDY AND GREATER THAN CLASS C WASTE (STC-18-009)

Purpose: To inform the Agreement States that the U.S. Nuclear Regulatory Commission (NRC) Office of Nuclear Material Safety and Safeguards (NMSS) published notices in the *Federal Register* on February 14, 2018, providing a request for comment on its Very Low-Level Waste (VLLW) Scoping Study and Greater Than Class C (GTCC) activities and announcing the intent of the NRC to hold a public meeting.

Background: The NRC is conducting a VLLW Scoping Study to identify the actions that the NRC should take to strengthen and improve its regulatory framework for VLLW. The regulatory focus is on developing a framework for accommodating the potentially large volumes of VLLW associated with decommissioning of nuclear power plants, as well as alternative waste streams that may be created by fuel reprocessing or a radiological event. In addition, the NRC staff is developing a regulatory basis for the disposal of GTCC and transuranic radioactive waste through means other than a deep geologic disposal.

Discussion: The VLLW study will consider the divergent stakeholder comments submitted as part of the 2016 programmatic assessment; lessons learned from the "below regulatory concern" policy statements published in the *Federal Register* on July 3, 1990 (55 FR 27522), and August 29, 1986 (51 FR 30839); lessons learned from the Commission's 2005 decision not to publish a proposed rule (the "Clearance" rule) on radiological criteria for controlling the disposition of solid materials; best practices of other countries with respect to VLLW disposal; and other factors to inform the NRC staff's recommendation for addressing VLLW. The scope of the study will also include work with other government agencies to evaluate the impact of large quantities of VLLW that would result from cleanup if a radiological dispersal device or similar device were used in the United States, and to ensure that VLLW resulting from such devices has a disposal pathway. The staff will proactively engage the Commission on any policy issues identified during the VLLW scoping study.

As directed by the Commission in [SRM-SECY-15-0094](#), the NRC staff is developing a regulatory basis for the disposal of GTCC and transuranic radioactive waste within six months of the completion of the Title 10 of the *Code of Federal Regulations* (10 CFR) Part 61 supplemental proposed rule. The NRC staff were also directed to conduct a public workshop during the development of the regulatory basis to receive input from stakeholders and address transuranic waste in 10 CFR Part 61. The NRC staff is seeking to identify the various technical issues that should be considered in the development of the regulatory basis.

The NRC staff provided notice of the VLLW Scoping Study in the *Federal Register* on February 14, 2018 (83 FR 6619) and GTCC in the *Federal Register* on February 14, 2018 (83 FR 6475). The notices provide background information regarding these actions, solicits public comments, and provides notice of the NRC's plans to hold a public meeting to discuss these actions. The comment period for the VLLW Scoping Study will end 90 days after the date of the publication of the *Federal Register* notice, on May 15, 2018. The comment period for GTCC and transuranic waste will end 60 days after the date of the publication of the *Federal Register* notice on April 16, 2018. The NRC staff discussed the public meeting and *Federal Register* notices during the Organization of Agreement States (OAS) call on February 15, 2018.

The NRC staff will hold the meeting at the NRC headquarters in Rockville, MD on February 22, 2018, and a webinar and facilitated bridgeline will be provided to enhance public participation.

The public meeting announcement is available at:
<https://www.nrc.gov/pmns/mtg>.

The *Federal Register* notice for Very Low-Level Waste Scoping Study is available at:
<https://www.gpo.gov/fdsys/pkg/FR-2018-02-14/pdf/2018-03083.pdf>

The *Federal Register* notice for Greater-Than-Class C and Transuranic Waste is available at:
<https://www.gpo.gov/fdsys/pkg/FR-2018-02-14/pdf/2018-03085.pdf>

The *Federal Register* notices can also be accessed on www.regulations.gov by searching for docket IDs NRC-2018-0026 and NRC-2017-0081.

Please follow the directions in the *Federal Register* regarding comments. We look forward to receiving your input.

More information on the VLLW Scoping Study and GTCC can also be found on the NRC's public website at the following locations.

<https://nrcweb.nrc.gov/waste/llw-disposal/very-llw.html>

<https://nrcweb.nrc.gov/waste/llw-disposal/llw-pa/gtcc-transuranic-waste-disposal.html>

If you have any questions on this correspondence, please contact me at (301) 415-3340 or the individual named below:

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