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Office of Public Affairs

Telephone: 301/415-8200

Washington, DC 20555-001

E-mail: opa@nrc.gov

Web Site: <http://www.nrc.gov/OPA>

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NRC ISSUES FINAL RULE ON STORAGE OF CERTAIN “GREATER THAN CLASS C” WASTE IN AN INDEPENDENT SPENT FUEL STORAGE FACILITY

The Nuclear Regulatory Commission is publishing amendments to its regulations to allow storage of power-reactor-related “greater than Class C” radioactive waste in an independent spent fuel storage installation or a monitored retrievable storage installation. The amendments also clarify that the licensing responsibility for this waste remains under federal jurisdiction.

“Greater than Class C” waste is a form of low-level radioactive waste with high enough concentrations of long-lived radioactive materials that it is generally unsuitable for near-surface land disposal. It is so named because its radioactivity exceeds the NRC concentration limits established for Class C low-level waste, which can be routinely buried in a low-level waste disposal facility.

Greater than Class C waste at nuclear power plants includes irradiated metal components from reactors, as well as filters and resins from reactor operations and decommissioning. Unlike the other classes of low-level waste which may be disposed of in near-surface facilities, greater than Class C waste is generally considered not suitable for near-surface disposal. The authority to possess this type of radioactive material is included under the reactor license.

The amendments allow licensing for interim storage of greater than Class C waste in a manner consistent with licensing interim storage of spent fuel (high-level radioactive waste) and would maintain federal jurisdiction for storage of such waste. This will provide public health and environmental protection in a manner comparable to that which is currently required for storage of spent fuel at an independent spent fuel storage installation, which may be located on or off the reactor site. This rulemaking also will provide reactor licensees with flexibility in selecting a regulatory approach to storing reactor-related greater than Class C waste after termination of their Part 50 license.

The amendments respond to a 1995 petition from the Portland General Electric Company on storage of greater than Class C waste from its Trojan nuclear plant in Oregon, which is in the process of being decommissioned.

The NRC believes the rule change is necessary because (1) previous requirements did not adequately address storage of reactor-related greater than Class C waste; (2) there were jurisdictional

issues regarding NRC and Agreement State authority over reactor-related greater than Class C waste storage activities; and (3) it will reduce regulatory burden on licensees, NRC and Agreement States. (Agreement States are states that have assumed regulatory authority over certain radioactive material.)

The NRC published a proposed rule on this subject for comment last June, and made minor changes as a result of the 18 comment letters received.

The amendments will be published shortly in the Federal Register, and will become effective 30 days after publication.

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