

LOW-LEVEL RADIOACTIVE WASTE FORUM, INC.

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July 30, 2012

Andrew Persinko
Deputy Director
Environmental & Performance Assessment Directorate
Division of Waste Management and Environmental Protection
Office of Federal & State Materials & Environmental Management Programs
U.S. Nuclear Regulatory Commission
Mail Stop T-8-F-5
Washington, DC 20555

Dear Andrew Persinko:

On behalf of the Low-Level Radioactive Waste Forum's (LLW Forum) Disused Sources Working Group (DSWG), please accept the attached comments on the U.S. Nuclear Regulatory Commission's (NRC) Part 61 rulemaking initiative.

The LLW Forum formed the DSWG in September 2011 at the request of and with financial support from the National Nuclear Security Administration (NNSA). The purpose of the working group is to study issues related to the management and disposition of sealed sources, using a holistic approach that considers both the front-end and back-end, and to develop a list of potential action items and recommendations to address the issues. The working group is composed of eight (8) members representing New York, Texas, Utah, Washington, Atlantic Compact, Midwest Compact, Rocky Mountain Compact, and Southeast Compact.

Due to the potential impact of the Part 61 rulemaking initiative to impact options for the disposal of sealed sources, the DSWG members formed a subgroup named the Part 61 Working Group (P61WG) to review and provide comments on the rulemaking initiative for consideration by the NRC in advance of submittal of the technical basis document to the Commission in September 2012. The P61WG is composed of six (6) members representing Texas, Utah, Washington, South Carolina, Pennsylvania and Illinois.

Given the role of the sited states in regulating low-level radioactive waste disposal facilities, P61WG members relied heavily upon input from representatives of the four

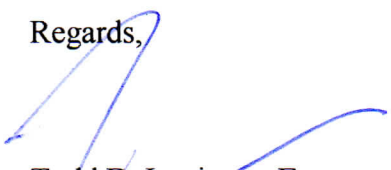
sited states of South Carolina, Texas, Utah and Washington in conducting its review of all elements of the Part 61 rulemaking initiative.

On July 19, 2012, the P61WG members attended the NRC's stakeholder meeting in Rockville, Maryland. The next day, on July 20, 2012, P61WG members met in Washington, District of Columbia to review and edit the attached document for consideration by the NRC.

On behalf of the DSWG and P61WG, I want to thank the NRC staff for their assistance during our review of the rulemaking initiative and for the agency's consideration of the working groups' comments. We believe this is an important document that has potentially significant impacts on the disposal of sealed sources and other low-level radioactive wastes and we sincerely appreciate the opportunity to provide the attached feedback and comments.

If you have questions or require additional information, please feel free to contact me at (202) 265-7990 or at LLWForumInc@aol.com.

Regards,



Todd D. Lovinger, Esq.
Executive Director of the LLW Forum
Project Manager of the DSWG and P61WG

Enclosure

cc Larry Camper, Division of Waste Management & Environmental Protection,
Office of Federal & State Materials & Environmental Management Programs,
U.S. Nuclear Regulatory Commission

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