

RulemakingComments Resource

From: Welling, Mike (VDH) <Mike.Welling@vdh.virginia.gov>
Sent: Tuesday, July 21, 2015 12:19 PM
To: Comfort, Gary
Cc: OAS Executive Board; Einberg, Christian; Rusty Lundberg; Charles Maguire; ganttaa@dhec.sc.gov; Fordham, Earl W (DOH)
Subject: [External_Sender] STC-15-016 OAS Comments
Attachments: STC-15-016 LLW OAS Comments.pdf

Attached are the OAS Board comments.

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Ben Franklin once said "Without continual growth and progress, such words as improvement, achievement and success have no meaning"

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July 21, 2015

Gary Comfort
Office of Nuclear Material Safety and Safeguards
U. S. Nuclear Regulatory Commission
Washington, DC 20555

RE: Request for Comments on the Proposed Amendments to Low-Level Radioactive Waste Disposal Regulations, 10 CFR Parts 20 and 61 (STC-15-016)

Dear Mr. Comfort,
The Organization of Agreement States (OAS) Executive Board (Board) has reviewed the above document and respectfully submits the following comments for consideration by the NRC.

The Board objects to redoing the site's performance assessment unless that site opts to take significant quantities of long-lived alpha emitters (e.g., DU).

The Board proposes Compatibility C designation instead of Compatibility B designation for the new parts of Part 61. Many states that currently regulate low-level radioactive waste sites have state standards that are more stringent than the requirements in the proposed rule. These states should not be forced to reduce their standards to conform to the new NRC rules. These states should be allowed to implement standards that are acceptable to the state and the communities that host these disposal facilities as long as those standards are at least as stringent as the NRC standards.

The proposed rules primarily impact the four Agreement States who have low-level radioactive waste disposal facilities in their states; South Carolina, Texas, Utah and Washington. The Board supports the comments of these states on the proposed rules.

We appreciate the chance to comment on this subject, and stand ready to answer any questions you may have.

Sincerely,

Michael Welling
OAS Chair
Director Radioactive Materials Program
Virginia Dept of Health
109 Governor St, Room 730
Richmond, VA 23219

Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, Wisconsin