

PUBLIC SUBMISSION

As of: 7/24/15 11:17 AM
 Received: July 24, 2015
 Status: Pending_Post
 Tracking No. 1jz-8k5q-4nt0
 Comments Due: July 24, 2015
 Submission Type: Web

Docket: NRC-2015-0003

Guidance for Conducting Technical Analyses for Low-Level Radioactive Waste Disposal

Comment On: NRC-2015-0003-0002

Guidance for Conducting Technical Analyses for Low-Level Radioactive Waste Disposal

Document: NRC-2015-0003-DRAFT-0012

Comment on FR Doc # 2015-06536

3/26/2015
 80 FR 15930

Submitter Information

Name: Betsy Forinash

Submitter's Representative: Betsy Forinash

Organization: U.S. Department of Energy

Government Agency Type: Federal

Government Agency: DOE



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RULES AND DIRECTIVES
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General Comment

To Whom It May Concern:

The Department of Energy submits the following comments on draft "Guidance for Conducting Technical Analyses for Low-Level Radioactive Waste Disposal," Docket NRC-2015-0003.

Sincerely,

Betsy Forinash

U.S. Department of Energy, Office of Environmental Management
 Office of Waste Management

Attachments

Final Signed Letter to Ms. Cindy Bladey_NUREG-1275 Part 61 Guidance NRC-2015-0003_23JUL15

SUNSI Review Complete

Template = ADM - 013

E-RIDS= ADM-03

Add= P. Yadav (PPY)



Department of Energy
Washington, DC 20585

July 23, 2015

Ms. Cindy Bladey
Office of Administration
Mail Stop: 3WFN-06-A44M
U.S. Nuclear Regulatory Commission
Washington, DC 20555
Docket ID NRC-2015-0003

Dear Ms. Bladey:

I am responding to the Federal Register notice published on March 26 at 80 FR 16082, requesting public comments on the U.S. Nuclear Regulatory Commission's (NRC) draft NUREG-2175, *Guidance for Conducting Technical Analyses for 10 CFR Part 61*. The draft guidance supports proposed changes to NRC's 10 CFR Part 61, *Licensing Requirements for Land Disposal of Radioactive Waste*. The U.S. Department of Energy, Office of Environmental Management, has separately submitted comments to the appropriate docket regarding the proposed regulatory changes. We take this opportunity to provide feedback on the proposed guidance.

We appreciate and support the NRC's decision to make the draft guidance available for public review at the same time that the proposed regulation is released. The guidance provides important insights into NRC's intentions, interpretation, and potential approach to implementation of the proposed requirements, and enhances the transparency of the rulemaking process for revising 10 CFR Part 61. In this same vein, we suggest that another review opportunity be provided after the proposed regulations are finalized but before finalization of the guidance. Given the voluminous and detailed nature of the proposed guidance, we further suggest that an extended comment period of at least 120 days be provided for this additional review.

Based on our own comments, and discussion at the recent briefing to NRC Commissioners, some significant adjustments are advocated to the scope and approach for the proposed regulatory revisions, which would imply corresponding significant changes to the supporting guidance in NUREG-2175. Indeed, any changes from the proposed to the final rule will have implications, to some degree, for implementation—and, therefore, to the supporting guidance. The public should be allowed to review and comment on an updated draft NUREG-2175, after publication of (and in light of) the final rule language decided for 10 CFR Part 61. In this way, the public can provide feedback that is informed by an understanding of what the requirements actually *will* be, not only what they *could* be.



If you have any questions, please contact me or Mr. Mark Senderling, Director, Office of Disposition Planning and Policy, at (301) 903-7514.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Marcinowski". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Frank Marcinowski
Deputy Assistant Secretary for
Waste Management