

RulemakingForm2CEM Resource

From: Philip Davis [philip.j.davis@utah.edu]
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To: RulemakingComments Resource
Subject: [External_Sender] Comment on Waste Rules (NRC-2011-0012)

We in Utah are very interested in the rules that the NRC makes to govern low level nuclear waste, especially since so much of that waste is stored here.

I have some significant concerns about the proposed revisions to Part 61, but first wanted to express my support for one part: The proposed revisions appear to allow Utah to maintain its reliance upon classification tables, to enforce its long-standing ban on Class B&C wastes. Thank you for including that in the final rules. Utah must have the right to keep hotter wastes out of our state.

There are several key concerns that I'd like to highlight.

1. The new regulations reduce the compliance period. At first staff chose a 10,000 year period, but that's been reduced to only 1,000 years. This is less protective of public health and the environment. It may be hard to look so far ahead, but we owe it to future generations to model in detail to ensure safety.
2. We are concerned that licensees (such as EnergySolutions) can choose to simply order a study if they want to bring a new waste stream. This move towards the WAC approach has the potential to transfer decision-making power to consultants and overwhelm states with complex models.
3. Next, I disagree with the dramatic limitations placed on the number of intruder scenarios to be considered. This approach is not appropriate for long-lived nuclear waste streams that will require more advanced predictive modeling. Just looking at scenarios happening now is absurdly restrictive given the potential for harm for millennia.
4. Finally, I request that the NRC classify Depleted Uranium. As a unique waste stream that continues to grow more radioactive for 2.1 million years, it makes no sense this has been arbitrarily lumped into the Class A category -- with waste that's only hazardous for a few hundred years. I urge the NRC to finally classify this waste accurately to inform ongoing disposal efforts.

Thank you for the opportunity to comment.

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