

## RulemakingForm2CEM Resource

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**From:** Susan Madden [susan.madden@hsc.utah.edu]  
**Sent:** Wednesday, June 24, 2015 1:51 PM  
**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 am extremely concerned about Energy Solutions' new plan to store depleted uranium from nuclear power plants, which is considered class A now but which becomes more radioactive over time and will pose a danger to people in the area for a million years or more, at their facility in Tooele County, Utah. In past years, I have heard proposals to store this type of material deep in the earth in salt mines or something similar due to the extreme long-term danger it presents. Yet Energy Solutions' plan is shallow burial of this very dangerous material. Not only Tooele County residents, but also residents of the Wasatch Front, downwind from the site, will be in danger for a million years. Utah has already paid an enormous price, in the deaths of downwinders from the above-ground testing of nuclear weapons in the past decades. Please find a safer solution than that being offered by Energy Solutions, which is in truth a long-term disaster waiting to happen.

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.

Susan Madden  
2916 Woolley Way  
Magna, UT 84044

**Federal Register Notice:** 80FR16081,NRC-2011-0012  
**Comment Number:** 100

**Mail Envelope Properties** (10387006.5121.1435168254053.JavaMail.tomcat)

**Subject:** [External\_Sender] Comment on Waste Rules (NRC-2011-0012)  
**Sent Date:** 6/24/2015 1:50:54 PM  
**Received Date:** 6/24/2015 1:51:19 PM  
**From:** Susan Madden

**Created By:** susan.madden@hsc.utah.edu

**Recipients:**  
"RulemakingComments Resource" <RulemakingComments.Resource@nrc.gov>  
Tracking Status: None

**Post Office:** vweb65

<b>Files</b>	<b>Size</b>	<b>Date &amp; Time</b>
MESSAGE	3022	6/24/2015 1:51:19 PM

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**Priority:** Standard  
**Return Notification:** No  
**Reply Requested:** No  
**Sensitivity:** Normal  
**Expiration Date:**  
**Recipients Received:**