

# PUBLIC SUBMISSION

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Guidance Document for Alternative Disposal Requests

**Comment On:** NRC-2017-0198-0004  
Revision of the Guidance Document for Alternative Disposal Requests

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## General Comment

US Department of Energy, Office of Waste Disposal, comment letter is attached.

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## Attachments

Comments on NRC-2017-0198

82 FR 48727  
12/21/2017  
(16)

SUNSI Review Complete  
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Add= Robert Gladney (RXG9)



**Department of Energy**  
Washington, DC 20585

Ms. May Ma  
Office of Administration (OWFN-2-A13)  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

ATTN: Rulemakings and Adjudications Staff

Dear Ms. Ma:

This letter responds to the Nuclear Regulatory Commission's (NRC's) request published in the *Federal Register* on October 19, 2017, for comment on its October 16, 2017 *Draft Guidance for the Reviews of Proposed Disposal Procedures and Transfers of Radioactive Material Under 10 CFR 20.2002 and 10 CFR 40.13(a), Revision 0.1* (NRC-2017-0198) ("Draft Guidance"). U.S. Department of Energy (DOE) review was limited to internal inconsistencies within the guidance for on-site and off-site disposal and potential contradictions with the Commission's Staff Requirements Memorandum (SRM) (SECY-16-0106/RIN 3150-AI92, September 8, 2017) and 10 CFR Part 20, 10 CFR Part 40 and DOE Manual 435.1-1.

DOE supports the draft guidance on page 16 of the Draft Guidance for analyses of on-site disposals - namely, for on-site disposals "...the analyst does not need to consider potential dose from radon from source material, byproduct, or special nuclear material..." and "...in most cases, on-site disposal analyses should be calculated to a peak dose within 1,000 years of the expected date of license termination of the facility...." A 1,000 year compliance period and excluding radon and progeny from all the pathways dose analysis is consistent with the performance objectives in DOE Manual 435.1-1, 10 CFR Part 20, and 10 CFR Part 40. A 1,000 year compliance period is also consistent with the Commission's recent direction (SECY-16-0106/RIN 3150-AI92).

However, on page 16 of the Draft Guidance, the compliance period for off-site disposals at facilities not licensed by the NRC, refers to Draft NUREG-2175, which proposed a 10,000 year compliance period, and is not consistent with the Commission's recent direction. On page 17 of the Draft Guidance, the guidance states that, "[r]adon from source, byproduct or special nuclear material should be considered, as appropriate, for off-site disposal." DOE believes that the guidance for off-site disposals should be updated to be consistent with the guidance for on-site disposals and with the Commission's direction in SECY-16-0106.

If you have any questions on these comments, please contact me at (301) 903-7212.

Sincerely,

Douglas Tonkay  
Director, Office of Waste Disposal

