

NOTATION VOTE

RESPONSE SHEET

RELEASED TO THE PDR
11/7/96 *SKW*
date initials

TO: John C. Hoyle, Secretary
FROM: COMMISSIONER DIAZ
SUBJECT: SECY-96-215 - REQUIREMENTS FOR SHIPPING
PACKAGES USED TO TRANSPORT VITRIFIED WASTES
CONTAINING PLUTONIUM

Approved _____ Disapproved *[Signature]* Abstain _____
Not Participating _____ Request Discussion _____

COMMENTS: *see attached comments*

[Signature]

SIGNATURE
10/18/96

DATE

Release Vote ☒

Withhold Vote ☐

Entered on "AS" Yes ☒ No _____

DF02/1

080028

Comments on SECY-96-215

The staff should provide references to support the statement that vitrified waste would not break into respirable particle sizes in reasonably expected accident scenarios. This should include information as to the actual particle sizes that might result if the thin canister is expected to be compromised. Any finding of non-respirability should consider mouth breathers as well as nose breathers.

The staff should assess the continued appropriateness of retaining §71.63 as reprocessing is not anticipated in the future.

If after review of the above, the staff finds that vitrified waste should be exempted from the requirement for double containment, that finding should be implemented through rulemaking. Such a rulemaking could either add vitrified waste to the list of materials exempt from the requirement for double containment, or could add a phrase such as "other essentially non-respirable solids." If the second option were selected, some guidance would have to be developed to describe how a finding of non-respirability would be supported. The rulemaking process should be expedited to satisfy the timeliness requirements of the Department of Energy.