

WM2017 Conference Panel Report

PANEL SESSION 19: Hot Topics and Emerging Issues in US Commercial LLRW Management and Disposal

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Panel Reporter: **Todd D. Lovinger, Esq.**, *LLW Forum, Inc.*

Panelists:

1. **Lisa Edwards**, *Senior Program Manager at the Electric Power Research Institute (EPRI)*
2. **Betsy Madru**, *Vice-President of Government Affairs at Waste Control Specialists (WCS)*
3. **Ned Woodward**, *Assistant Director at the U.S. Government Accountability Office (GAO)*
4. **John Tappert**, *Director of the Division of Decommissioning, Uranium Recovery and Waste Programs at the U.S. Nuclear Regulatory Commission (NRC)*

Approximately 60 people attended this panel session, which focused on new developments in the field of commercial low-level radioactive waste management and disposal in the United States.

The session opened with four panelists presenting up to date information on various topics including a discussion of issues regarding alternative disposal pathways for very low activity waste; operator perspectives from the Waste Control Specialists (WCS) facility in Texas including a proposal to license a disposal cell for GTCC, GTCC-like and Transuranic waste and application to construct and operate a facility to store spent nuclear fuel; GAO report examining enhanced controls and continuing vulnerabilities of dangerous radioactive materials; NRC initiatives including the proposed final rule to amend 10 CFR Part 61, *Licensing Requirements for Land Disposal of Radioactive Waste*.

This was followed by a question and answer session which included questions on what are the driving factors behind declining waste disposal volumes; is there sufficient public will to implement formal regulations on the disposal of low-activity waste; and, how can the industry work together to ensure the long-term viability of currently operating low-level radioactive waste disposal facilities.

Summary of Presentations

Lisa Edwards provided data on key trends in waste generation by nuclear power plants showing that there is a reduction in the generation of Class B and C wet solid waste and that there is a wide range of performance that indicates different practices. **Edwards** noted that, as practices become more uniform, we may expect averages to decrease further. She also state that iimplementation of the 2015 Branch Technical Position on Concentration Averaging and Encapsulation (BTP) is expected to further lower Class B and C generation rates.

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Betsy Madru discussed operator perspectives regarding the Waste Control Specialists (WCS) facility in Texas including a proposal to license a disposal cell for Greater-than-Class C (GTCC), GTCC-like and transuranic waste and application to construct and operate a facility to store spent nuclear fuel. **Madru** reported that waste receipts are down and stated that policies do not reflect current practices. Legislation has been introduced during the current session that would increase the maximum amount of waste that could be disposed over ten years.

Ned Woodward discussed a recent U.S. Government Accountability Office (GAO) report finding that the U.S. Nuclear Regulatory Commission (NRC) has enhanced the control of dangerous radioactive materials, but vulnerabilities remain. GAO investigators, using a fictitious business, applied for a radioactive materials license in three states. In two cases, the license applications were denied. In the third case, GAO's fictitious business received a license. GAO altered the license and obtained commitments from two vendors to sell radioactive material that aggregated together would be considered attractive to terrorists for use in a dirty bomb. GAO then immediately alerted NRC of its findings, which the agency and Agreement States took corrective actions to address.

John Tappert provided an overview of the agency's low-level radioactive waste program with a focus on the programmatic assessment completed by agency staff, ongoing Part 61 rulemaking initiative, GTCC and transuranic waste disposal, financial assurance for radioactive byproduct material and a proposed very low-level waste scoping study. Many of these topics will be discussed during an NRC public meeting that will be held from 8:30 a.m. to 1:00 p.m. in Salon 8 at the Renaissance Hotel this coming Friday. There is no registration fee to attend and participate in the NRC public meeting.

Questions and Answer

Lisa Edwards was asked for additional information about charts in her presentation showing declining waste disposal volumes, the determining factors for the trend and her perspectives on how NRC should address the handling of very low-level radioactive waste. In addition, a commenter noted that the U.S. Environmental Protection Agency (EPA) has previously sought public comment on this issue.

Betsy Madru responded to an inquiry as to how to maintain the long-term viability of existing low-level radioactive waste disposal facilities.

Ned Woodward responded to questions regarding the methods, purpose and results of the GAO investigation examining enhanced controls and continuing vulnerabilities of dangerous radioactive materials

John Tappert noted at the end of the session that NRC would be hosting a public workshop on low-level radioactive waste regulatory issues in Phoenix, Arizona the day following the conclusion of the Waste Management symposium.