

Performance Assessments Legal Considerations

Denise Chancellor

Utah Attorney General's Office

dchancellor@utah.gov

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License Issuance Requirements

- Issuance will not constitute unreasonable risk to public health and safety.
- Site design, operations, closure, and post-closure institutional controls meet performance objectives and are protective of public health and safety.
- Operations will allow licensee to meet post-closure monitoring and maintenance.

License Conditions

- Executive Secretary may add conditions as necessary or appropriate:
 - ◆ to protect health; or
 - ◆ to minimize danger to life or property.

Performance Objectives

- Protect the general population from releases of radiation.
- Protect individuals from inadvertent intrusion.
- Protect individuals during operations.
- Site stability.

Stability of the Site After Closure

- Facility is to be sited, designed, operated, and closed to achieve long-term stability.
- Eliminate, to extent practicable, the need for ongoing site maintenance after closure.
- After closure, only surveillance, monitoring or minor custodial care should be needed.

“Depleted Uranium” Definition

- Source material uranium in which the isotope uranium-235 is < 0.711 weight percent of the total uranium present.
- Depleted uranium does not include special nuclear material.

Note: “Unique waste streams” are not defined in Utah rules.

DU - Performance Assessment

- Performance assessment required for the land disposal, after June 1, 2010, of > one metric ton in total accumulation of DU.
- Performance assessment must meet the performance objections for total quantities of concentrated DU or other wastes already disposed of or proposed for disposal.

Performance Period, etc.

- Performance Assessment compliance period for DU: 10,000 years minimum.
- Where peak dose occurs: qualitative analysis of additional simulations.
- Performance Assessment shall be revised, as needed, to reflect ongoing NRC guidance and rulemaking.

Proposed Change to R313-25-8

- The licensee or applicant shall conduct a site-specific performance assessment and receive Executive Secretary approval prior to accepting any radioactive waste if:
 - ◆ The waste is likely to result in $> 10\%$ of the dose limit in R313-25-19 during the time period at which peak dose would occur; or

Proposed Rule Change (cont'd.)

- ◆ The waste will result in $> 10\%$ of the total site source term over the operational life of the facility; or
- ◆ The disposal of the waste would result in an unanalyzed condition not considered in the development of 10 C.F.R. § 61.55.