Tremendous Strides Over Past 5 Years

- Opened the first new disposal facilities in over 40 years.
- Prior to WCS opening Class B/C LLW was stranded in 36 states.
- Irradiated hardware, large components, dewatering services, rail access, and large scale D&D support are new services currently provided.
The DOE is charged with preparing an EIS for the disposal of GTCC LLW.

The DOE may select a commercial entity as one of its Preferred Alternatives for the disposal of GTCC LLW.

Under the LLWPA of 1985, NRC is responsible for licensing and developing technical standards governing the disposal of “commercial” GTCC LLW.

The NRC is considering including a GTCC rulemaking as a potentially high priority in its Strategic Assessment.

The NRC is not responsible for licensing the disposal of GTCC LLW that is owned or generated by the federal government (GTCC-like LLW).

NRC recognized that GTCC LLW may be suitable for disposal in an Intermediate Depth Waste Disposal Facility during the GTCC rulemaking in 1989.

The licensing authority may be vested to an Agreement State hosting a disposal facility licensed under 10 CFR 61 for the disposal of GTCC-like LLW.
A New Standard for Waste Disposal

- Most robust waste disposal facility in the U.S.
- Far above any sources of potable water.
- Over 30 meters deep.
- Qualifies as an Intermediate Depth Waste Disposal Facility.
- Long-lived radionuclides isolated from the biosphere for over a million years.
- Well suited for disposal of GTCC LLW.

Barnwell Facility

Previous Standard for Class B/C LLW
NRC Commissioners directed Staff to prepare a report on GTCC LLW on September 24, 2014.

- Report to address history, types of GTCC waste streams, and disposal challenges, including risk-significant sealed sources.
- Staff is anticipated to issue report in May 2015.
Petition for Rulemaking

• WCS submitted a Petition for Rulemaking that would provide a disposal pathways for GTCC and GTCC-like LLW on July 21, 2014.
• Provides a disposal pathway for GTCC and GTCC-like LLW stranded for decades.
• Accelerates timely cleanup of legacy sites.
• Addresses a national security challenge for Category 1 and 2 disused sealed sources.

Texas legislature defined “Federal Facility Waste” as waste that is the responsibility of the federal government under the LLWPA of 1985.
• Both Commercial GTCC and GTCC-like LLW is Federal Facility Waste.
• Petition seeks to better align Texas regulations with State and Federal statutes and regulations.
• Preserves the NRC authority to license and determine standards for disposal of commercial GTCC LLW.
• Recognizes that an Agreement State may be authorized to regulate disposal of non-commercial GTCC-like LLW.
Petition for Rulemaking

- On September 10, 2014, TCEQ Commissioner’s unanimously approved the Petition for Rulemaking.
- Agreed that better alignment of Texas regulations with State and Federal statutes and regulations was needed.
- Approved development of a “Proposed Rulemaking” after soliciting input from NRC and DOE and holding several stakeholder meetings.
- Rulemaking process may take 12-18 months to complete.

SNF and HLW Storage

- The federal government is responsible for the disposal of SNF produced by commercial nuclear reactors in the U.S.
- The Nuclear Waste Policy Act of 1982 required Presidential approval of a final disposal facility recommended by DOE.
  - Requires the ratepayers of commercial nuclear reactors to pay fees for a permanent geologic repository.
- In 2002, President George W. Bush approved DOE’s recommendation to dispose of SNF at the Yucca Mountain facility in Nevada.
- NRC received an application from DOE to license Yucca Mountain in 2008.
- Actions needed to complete the construction and licensing of Yucca Mountain suspended.
Blue Ribbon Commission

- Blue Ribbon Commission was chartered to evaluate best approach for the federal government to manage the back-end of the nuclear fuel cycle.
- Consensus-based licensing in a community willing to host an interim spent fuel storage facility is a cornerstone of the Commission’s findings.
- Blue Ribbon Commission recommended development of an interim spent fuel storage facility until a permanent repository became operational.
- Interim storage of SNF maybe for 60-100 years until a repository is constructed and licensed.

A Texas Solution

- In April 2014, Governor Rick Perry requested state leadership consider the interim storage of SNF in Texas based on a study conducted by the TCEQ.
- Allows Texas to recoup more than $700 million they have paid into the Nuclear Waste Fund.
- Indefinite storage onsite at Comanche Peak and South Texas Project not adequate.
Community Outreach

- WCS has initiated discussions with Andrews for support to site a Centralized Interim Storage Facility in Andrews County, Texas.
- Approximately 500 individuals attended the public meeting.
- WCS underscored that proceeding with the project only with the support of the local community.

Conclusions

- WCS has made tremendous strides in providing national solutions to waste management challenges.
- Waste management practices have matured considerably over the past 40 years.
- A solution is needed for permanent disposal of GTCC and GTCC-like LLW.
- A TCEQ rulemaking would serve a national need for the timely disposal of GTCC and GTCC-like LLW.
- NRC must still complete rulemaking for commercial GTCC LLW.
Conclusions

- Blue Ribbon Commission recommended interim storage of spent fuel in State with strong community support.
- Governor Rick Perry has already expressed support for siting a Centralized Interim Storage Facility in Texas.
- Strong community support from Andrews essential to licensing a Centralized Interim Storage Facility at WCS.
- WCS has begun the process of discussing the possibility of licensing a Centralized Interim Storage Facility with the community leadership in Andrews.