

EDO Principal Correspondence Control

FROM: DUE: 11/15/00

EDO CONTROL: G20000514  
DOC DT: 10/24/00  
FINAL REPLY:

Andrew C. Kadak  
Kadak Associates, Inc.

TO:

Chairman Meserve

FOR SIGNATURE OF :

\*\* PRI \*\*

CRC NO: 00-0665

Chairman

DESC:

Disposal of Greater Than Class C (GTCC) Waste

ROUTING:

Travers  
Paperiello  
Miraglia  
Norry  
Craig  
Burns  
Miller, RI  
Cyr, OGC

DATE: 11/03/00

ASSIGNED TO:

CONTACT:

NMSS

Kane

SPECIAL INSTRUCTIONS OR REMARKS:

**OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET**

*Date Printed: Nov 02, 2000 16:43*

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**PAPER NUMBER:** LTR-00-0665 **LOGGING DATE:** 11/02/2000  
**ACTION OFFICE:** EDO

**AUTHOR:** ANDREW KADAK  
**AFFILIATION:** RI  
**ADDRESSEE:** RICHARD MESERVE  
**SUBJECT:** DISPOSAL OF GREATER THAN CLASS C (GTCC) WASTE.....

**ACTION:** Signature of Chairman  
**DISTRIBUTION:** RF, SECY TO ACK

**LETTER DATE:** 10/24/2000  
**ACKNOWLEDGED:** No  
**SPECIAL HANDLING:**

**NOTES:** COMMISSION CORRESPONDENCE..OCM #4443  
**FILE LOCATION:** ADAMS

**DATE DUE:** 11/17/2000 **DATE SIGNED:**

# KADAK ASSOCIATES, INC.

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Andrew C. Kadak, Ph.D.  
*President*

October 24, 2000

Dr. Richard Meserve, Chairman  
Nuclear Regulatory Commission  
Washington, DC 20555

Subject: Greater Than Class C Waste

Dear Dr. Meserve:

The disposal of Greater Than Class C (GTCC) waste has been an open issue for many years. It appears that what everyone understands is required, namely disposal in a geological repository, is not being implemented due to a technicality in the regulations and law. The Department of Energy is charged with the disposal of spent nuclear fuel and other high level radioactive waste generated through the operation of nuclear plants. GTCC clearly fits the latter category but it has not been so designated by the Nuclear Regulatory Commission. This lack of designation prevents the Department of Energy from taking this waste from shutdown nuclear plants in the process of decommissioning. The net result is that when the department begins taking spent fuel from these sites, the utilities will be left with spent fuel like casks containing GTCC further delaying site release.

It appears that the remedy simply requires reconciling the present NRC requirements for the disposal of Greater Than Class C waste in a geological repository with those of DOE that at present have no link with this requirement in their taking of this material. A one sentence definition stating that GTCC is high level nuclear waste should clear this long standing issue and provide DOE the basis for accepting GTCC waste.

I have been raising this issue with both DOE and NRC for at least 8 years since the shutdown of the Yankee plant in Rowe, Massachusetts. I believe enough time has passed to correct this gap in the regulations.

Should you have any questions or would like additional information, please do not hesitate contacting me.

Sincerely yours,

*Andrew C. Kadak*