

January 11, 2002

Mr. Armond Muscat
Armond and Associates
P.O. Box 251
Algonquin, IL 60102

SUBJECT: DISPOSAL OF RADIOACTIVE WASTE

Dear Mr. Muscat:

I am responding to your letter of August 15, 2001, to Mr. John Greeves of the U.S. Nuclear Regulatory Commission (NRC). In your letter, you described a project for the safe disposal of all levels of radioactive waste. You indicated that you had contacted several independent laboratories to review the proposal, but that they would not test your system to determine if it would work. You asked that we review this system and perform a computer analysis. Your letter also included several enclosures describing in more detail the proposal, and these were labeled "confidential." Because of the press of other agency business, we were unable to respond to you earlier.

We share your concern about the safe disposal of radioactive waste, and appreciate your interest and effort in addressing this important national issue. Although we cannot perform any tests or computer modeling of your proposed system, for the reasons described below, it is likely that such a system could safely isolate waste under the right conditions, such as a suitable site, the specification of certain limits on the types and amounts of radioactive waste for disposal, and additional specifications on the waste forms and barriers that are described generally in your proposal. Additional research and engineering would have to be conducted to define these parameters. In addition, since our agency budget is required by law to be almost entirely funded by our users (i.e., organizations that are licensed by the NRC) in return for our services, we are unable to perform the type of work you have proposed.

Your letter to us contained several pages that were marked "confidential."¹ The NRC cannot protect such information from public disclosure if certain criteria are not first addressed and satisfied. Our regulations in 10 CFR 2.790(b)(1) identifies the information that needs to be furnished in order for us to withhold documents from public disclosure. We are, therefore, returning the documents submitted to us under separate cover and will not include them in our public document files.

¹ We relabeled the documents as "proprietary" so that the word "confidential" would not be confused with our security classification term.

Mr. A. Muscat

I trust this response clarifies our position.

Sincerely,

Thomas H. Essig, Chief **/RA/**
Environmental and Performance
Assessment Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

Mr. A. Muscat

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Thomas H. Essig, Chief **/RA/**
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