

EDO Principal Correspondence Control

FROM: DUE: 09/03/04 EDO CONTROL: G20040530  
DOC DT: 07/30/04  
FINAL REPLY:

B. John Garrick, ACNW

TO:

Chairman Diaz

FOR SIGNATURE OF : \*\* GRN \*\* CRC NO: 04-0491

Reyes, EDO

DESC:

ROUTING:

Review the License Termination Rule (LTR) Analysis  
- Intentional Mixing of Contaminated Soil

Reyes  
Virgilio  
Kane  
Merschhoff  
Norry  
Dean  
Burns/Cyr  
Paperiello, RES  
Baggett, OEDO  
ACNW File

DATE: 08/05/04

ASSIGNED TO: CONTACT:  
NMSS Strosnider

SPECIAL INSTRUCTIONS OR REMARKS:

Prepare response to ACNW for EDO signature. Add  
Commissioners and SECY as cc's.

USE SUBJECT LINE IN RESPONSE.

Template: SECY-017

ERIDS: SECY-01





UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
ADVISORY COMMITTEE ON NUCLEAR WASTE  
WASHINGTON, D.C. 20555-0001

July 30, 2004

The Honorable Nils J. Diaz  
Chairman  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

SUBJECT: REVIEW THE LTR ANALYSIS - INTENTIONAL MIXING OF CONTAMINATED SOIL

Dear Chairman Diaz:

At its 152<sup>nd</sup> Meeting of July 20 to 22, the Advisory Committee on Nuclear Waste (ACNW) was briefed by staff on the License Termination Rule (LTR) implementation issue related to intentional mixing of contaminated soil. The Committee heard information related to the development of a set of options and the rationale for selecting the option that allows for the continuation of current practices and allows limited (case-by-case) intentional mixing of soil to meet LTR release criteria. The Committee believes that this is an appropriate selection and an improvement toward making the LTR more risk informed.

The detailed guidance that is being developed by staff is the key to success for intentional mixing as part of the LTR. Two licensees have expressed interest in the application of intentional mixing to their licensed activities. These two cases are likely to provide relevant information for the development of detailed guidance. The Committee recommends that staff plan ahead to include information that is likely to develop from these two cases in the guidance under development for wider application of intentional mixing as an option under the LTR.

The Committee recommends that stakeholder meetings be held to gather additional information. These meetings should include licensees planning decommissioning or decontamination projects, entities that provide decommissioning and decontamination services, Agreement State representatives and other stakeholders. Stakeholders should also be invited to provide information, challenges, and experiences that will enhance the development of guidance on intentional mixing.

The Committee believes that the LTR, intentional mixing, and control of disposition of solid materials are interrelated. The Committee recommends that efforts continue to evaluate the relationship among these existing and emerging initiatives so that they are well coordinated and avoid conflicts in guidance to licensees.

Sincerely,

A handwritten signature in black ink, appearing to read "B. John Garrick".

B. John Garrick  
Chairman