

EDO Principal Correspondence Control

FROM: DUE: 04/18/05 EDO CONTROL: G20050245
DOC DT: 04/06/05
FINAL REPLY:

Representative Mark Udall

TO:

Chairman Diaz

FOR SIGNATURE OF : ** GRN ** CRC NO: 05-0186

Chairman Diaz

DESC:

ROUTING:

Would Like to Know Whether the NRC is Considering
a Request for Disposal of Radioactive Materials
in Colorado

Reyes
Virgilio
Kane
Merschhoff
Silber
Dean
Burns/Cyr

DATE: 04/08/05

ASSIGNED TO: CONTACT:
NMSS Strosnider

SPECIAL INSTRUCTIONS OR REMARKS:

Template: SECY-017

E-ubs: EDO-01

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Congress of the United States
House of Representatives
Washington, DC 20515-0602

April 6, 2005

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<http://markudall.house.gov/HcR/Co02/home>

The Honorable Nils J. Diaz
Chairman, Nuclear Regulatory Commission
One White Flint North Building
11555 Rockville Pike
Rockville, MD 20852-2738

Dear Chairman Diaz:

I am enclosing a letter from the Rocky Mountain Peace and Justice Center, which is based in Boulder, Colorado.

As you can see, the letter says that the Center has been informed that a company based in New York has asked the Nuclear Regulatory Commission to approve its request to be allowed to dispose of low-level nuclear waste at a hazardous waste landfill in Colorado. The letter says this request is similar to a proposal by the Connecticut Yankee Atomic Power Company for transfer of demolition debris to a hazardous waste facility in Grand View, Idaho.

I would appreciate your review of the points raised in the letter from the Center. In particular, I would like to know whether the Nuclear Regulatory Commission is considering a request for disposal of radioactive materials in Colorado. I also would like to know more about the status of the Idaho proposal referenced in the letter, and whether the Nuclear Regulatory Commission views it as a possible precedent for disposal of radioactive materials in other states (possibly including Colorado).

Thank you for your attention to this matter. I look forward to your prompt response.

Sincerely,

Mark Udall



March 17, 2005

The Honorable Mark Udall
United States House of Representatives
240 Cannon House Office Building
Washington, D.C. 20515-0602

Re: Request for inquiry into the proposal by Clean Harbor's, Inc., to dispose of low-level radioactive waste at the "Highway 36" hazardous waste landfill in Colorado.

Dear Mr. Udall:

The Rocky Mountain Peace and Justice Center, rooted in the spirit of unconditional nonviolence, is dedicated to radically progressive personal and social change. As a multi-issue organization, we work to restore and protect earth and human rights. We educate, organize, act, and build community in order to create a culture of justice and peace.

We understand that the Manhattan-based company Clean Harbors, Inc., has submitted a request for approval to dispose of low-level radioactive waste at Colorado's only hazardous waste landfill. We are concerned that Colorado and its citizens may be adversely affected by disposal of radioactive waste in a hazardous waste landfill, and that approval of such a request could set a precedent opening the doors for more radioactive waste, including radioactive waste from decommissioned commercial nuclear reactors in the US.

A similar situation has developed in Idaho where Connecticut Yankee Atomic Power Co. has asked for Nuclear Regulatory Commission approval of "alternative disposal" procedures for radioactively contaminated demolition debris at its Haddam Neck Plant. Specifically, Connecticut Yankee has proposed to transfer Haddam Neck demolition debris to the US Ecology hazardous waste disposal facility in Grand View, Idaho—a facility that is not licensed for radioactive waste disposal by the NRC; nor is Idaho an Agreement State for disposal of radioactive wastes pursuant to the Atomic Energy Act.

It is our understanding that the Grandview site in Idaho was granted a permit modification to allow FUSRAP waste, which is radioactive. Now the US Ecology site is requesting permission to dump radioactive debris from commercial reactors. In light of developments in Idaho and the potential seriousness of dumping radioactive waste in hazardous waste landfills in Colorado, we request your assistance in inquiring with the NRC and State of Colorado as to the proceedings and what precedent it could set for future radioactive waste streams into Colorado.

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Thank you for your assistance, and if you have questions, please feel free to contact me.

Sincerely,

Erin Hamby

Coordinator—Rocky Flats/ Disarmament Collective
The Rocky Mountain Peace and Justice Center
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