

EDO Principal Correspondence Control

FROM: DUE: 05/04/05 EDO CONTROL: G20050301
DOC DT: 04/20/05
FINAL REPLY:

Senator Bill Nelson

TO:

Chairman Diaz

FOR SIGNATURE OF : ** PRI ** CRC NO: 05-0231

Chairman Diaz

DESC:

ROUTING:

Upcoming Rulemaking on Low-Activity Radioactive
Waste and the Application of Connecticut Yankee
Atomic Power Company to Dispose of Low-Activity
Radioactive Waste

Reyes
Virgilio
Kane
Merschhoff
Silber
Dean
Burns/Cyr
Hagan, ADM
Collins, RI
Outlaw, OCA

DATE: 04/26/05

ASSIGNED TO: CONTACT:
NMSS Strosnider

SPECIAL INSTRUCTIONS OR REMARKS:

Ref. G20050289, G20050287, G20050292 and G20050207.

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OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

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ACTION OFFICE: EDO

AUTHOR: SEN Bill Nelson
AFFILIATION: SEN
ADDRESSEE: CHRM Nils Diaz
SUBJECT: Connecticut Yankee Atomic Power Company

ACTION: Signature of Chairman
DISTRIBUTION: RF, OCA to Ack

LETTER DATE: 04/20/2005

ACKNOWLEDGED No

SPECIAL HANDLING: Comr. Correspondence

NOTES:

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DATE DUE:

05/9/05
~~05/05/2005~~

DATE SIGNED:



United States Senate

WASHINGTON, DC 20510-0905

BILL NELSON
FLORIDA

April 20, 2005

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

Dear Chairman Diaz:

I support the use of nuclear power and the safe disposal of any byproduct of nuclear power production. To that end, I seek information about the upcoming rulemaking on low-activity radioactive waste and the rush to decide the application of Connecticut Yankee Atomic Power Company to dispose of low-activity radioactive waste prior to the completion of the rulemaking.

It is my understanding that the upcoming rulemaking raises the issue as to whether and under what conditions low-activity waste may be disposed of at a facility not licensed by the NRC, such as a RCRA hazardous waste disposal facility. I also understand that Connecticut Yankee Atomic Power Company's application, now pending before the NRC, raises many of the same policy considerations raised by the rulemaking. Further, Connecticut Yankee's application may not be subject to public participation and other procedural protections that typically accompany a rulemaking. I have no opinion on the merits of the application, but I urge the NRC to conduct the same level of public participation that typically accompanies the NRC's decision making to ensure the NRC's decision making is not called into question.

I am told that the rule in question is aimed at improving the consistency, effectiveness and efficiency of the NRC's regulatory framework to protect public health and safety and that the NRC's proposed rule is the result of six years of public comments. For those reasons, I seek an explanation for the NRC's need to quickly decide Connecticut Yankee's application before the rulemaking is completed.

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Bill Nelson". The signature is written in a cursive, slightly slanted style.