

February 24, 2006

Dr. Michael T. Ryan, Chairman
Advisory Committee on Nuclear Waste
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

SUBJECT: RESPONSE TO THE ADVISORY COMMITTEE ON NUCLEAR WASTE'S
DECEMBER 27, 2005, LETTER CONCERNING OPPORTUNITIES IN THE
AREA OF LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT

Dear Dr. Ryan:

I am responding to your December 27, 2005, letter to the Chairman, forwarding a draft copy of the "ACNW White Paper: History and Framework of Commercial Low-Level Radioactive Waste Management in the U.S." Your cover letter provided background on the Advisory Committee on Nuclear Waste's (ACNW's) preparation of the paper, listed six specific opportunities for better risk-informing 10 CFR Part 61, and identified your plans for an ACNW working group meeting with the Office of Nuclear Material Safety and Safeguards staff to solicit stakeholder views on potential changes to the regulatory framework before making recommendations to the Commission.

We appreciate the Committee's initiative in preparing the White Paper and fostering dialogue on how the U.S. Nuclear Regulatory Commission's low-level waste regulatory framework might be improved. The summaries of both the low-level waste (LLW) program in general and Part 61 development in particular are factual, well-written, and informative, especially regarding regulatory and risk-management issues. The summary will be especially useful for persons involved in LLW, both now and in the future, in understanding the evolution of the program and the assumptions which underlie the regulatory framework.

We support the deliberative approach that you have outlined in your letter of obtaining stakeholder input to help identify the potential changes to our regulatory framework before making recommendations to the Commission. The specific opportunities you have identified in the White Paper will provide a good point-of-departure for the upcoming workshop to not only obtain stakeholder views on risk-informing the regulatory framework, but also on the LLW regulatory program as a whole. Such a scope is consistent with the staff's LLW planning effort, which is intended to identify and prioritize issues that need to be addressed to ensure our regulatory framework is sufficient to meet future challenges.

Dr. Ryan

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We look forward to our future collaboration with you.

Sincerely,

/RA/

Luis A. Reyes
Executive Director
for Operations

cc: Chairman Diaz
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons
SECY

Dr. Ryan

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We look forward to our future collaboration with you.

Sincerely,

/RA/

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