



NATURAL RESOURCES DEFENSE COUNCIL

September 18, 2006

Via First Class and Electronic Mail

Ms. Anna Bradford
Mail Stop T7-J8
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dear Ms. Bradford:

We, the Natural Resources Defense Council, write to pass on to you a letter that we received some weeks ago regarding allegations about potential leaking of radioactivity at the Department of Energy's (DOE) Saltstone Disposal Facility.

The attached letter, anonymously sent and postmarked from Augusta, Georgia alleges that "even the little bit of radioactivity that has been put in the cement at Saltstone already is being leached out and running into the ground. I have seen the contamination signs on the sides of the vaults. The vaults look like they are cracking and you can see the leaching just like on a brick wall ... Also there have been and may still be radioactivity postings in the field (that's in the grass) adjacent to the Saltstone vaults." *See attached letter.*

We have no way of verifying the allegations in this letter or knowing whether the information is credible. The letter is unsigned. There is no return address, and there is no supporting information or detail provided that would either support or dispute these allegations.

As you know, in October 2004 the National Defense Authorization Act for Fiscal Year 2005 (NDAA) gave certain direct responsibilities to the Nuclear Regulatory Commission (NRC) with respect to DOE's efforts to reclassify high-level radioactive waste (HLW) in South Carolina and Idaho. Specifically, the NRC has been charged with consulting with DOE on the determination of whether the HLW may be reclassified as "waste incidental to reprocessing" and thus not subject to the Nuclear Waste Policy Act, 42 U.S.C. § 10101 *et seq.* And most important for the purposes of this letter, paragraph (b) (1) of Section 3116 of the NDAA requires that the NRC "... in coordination with the covered State, monitor disposal actions taken by the DOE ... for the purpose of assessing compliance with the performance objectives set out in subpart C of part 61 of title 10, Code of Federal Regulations." In short, the NRC is obligated to monitor DOE's compliance with the low-level radioactive waste performance objectives when DOE reclassifies HLW and disposes of that waste in South Carolina or Idaho (either disposing of the HLW in place in a tank itself or in disposing of the reclassified waste removed from the tanks in the Saltstone Disposal Facility).

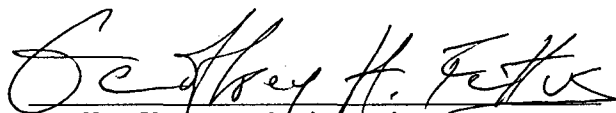
We are not in a position to judge the truthfulness or accuracy of the letter sent to us. As you are the agency responsible for monitoring for compliance with the applicable low-level waste performance objectives (in coordination with the State of South Carolina), we request that you review this matter and provide a public record of your analysis and findings.



Ms. Anna Bradford
September 18, 2006
Page 2

If you have any questions, please do not hesitate to call me at (202) 289-2371. If possible, please send your response and any supporting documentation directly to me at gfettus@nrdc.org. Thank you very much for your consideration of this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Geoffrey H. Fettus".

Geoffrey H. Fettus, Senior Project Attorney
Natural Resources Defense Council
1200 New York Avenue, Suite 400
Washington, D.C. 20005

CC: State of South Carolina, Department of Health and Environmental Control
Ms. Shelly Sherritt, Federal Facilities Liason



Tom Cochran
1200 NY AVE NW
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Tom Cochran
NRDC
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You guys are on the right track about dumping the high level tank waste in cement at the Savannah River Site. There is no way that DOE can be sure this is safe over long periods in Saltstone vaults unless they limit the amount significantly.

You may not know it but even the little bit of radioactivity that has been put in the cement at Saltstone already is being leached out and running into the ground. I have seen the contamination signs on the sides of the vaults. The vaults look like they are cracking and you can see the leaching just like on a brick wall. If it is contaminated then radioactivity is obviously leaching out. Also there have been and may still be radioactivity postings in the field (that's in the grass) adjacent to the Saltstone vaults!

If they can't keep it from leaching out after a few years how can they keep it from leaching over hundreds of years?

I bet the NRC never even went to the vault sites and saw these postings. I also bet that DOE will not let anybody from the public see it. You can bet that tours so far have been from a long distance away or there would already be a fuss over this.

Better ask about past contamination markings (as well as a current) if you want to get this dumping stopped. DOE is just going to jam this down everyone's throat unless a furor is generated from the public.

Has anyone bothered to ask why we can't vitrify all the waste from the tanks like they are doing at Hanford. Glass is known to be the best form to avoid leaching. Talk about not using available technology. DOE can't even get it right between two sites. Perhaps SC is just too willing to let DOE get away with cheaper solutions to the same problems.

Even the debate over what is left in tanks is solved with current technology. Tanks can be cleaned just fine by chemical and mechanical means with little residue left over. Both sites have done this already. But DOE keeps trying to avoid the cost of doing what is right. All we need is a way to destroy the cleanup stream. Duh! How about vitrification!

Bob Card was pretty clear he wanted to leave 75% of the high level waste in the tanks at all sites. What is going on now is biting off the toe to the elephant. Justify a small amount today in Saltstone and then show later that more is also acceptable. If you can't sell the plan in its entirety then sell it in little segments. Sounds like bait and switch to me. Are our regulators really that gullible? Fact is that DOE will continue to put off the treatment plants needed to get the radioactivity out of the waste so it may be put deep in the earth where it belongs. How else can you explain taking over 20 years to get vitrification going at Hanford when it has already been done at Savannah River?