



UNITED STATES  
**NUCLEAR REGULATORY COMMISSION**  
REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

October 16, 2006

Docket No. 03030666  
Control No. 139125

License No. 37-20826-02

Joseph Harverson  
President  
ALARON Corporation  
RD #2, Box 2140A  
Wampum, PA 16157

SUBJECT: ALARON CORPORATION, WASTE CLASSIFICATION CLARIFICATION,  
CONTROL NO. 139125

Dear Mr. Harverson:

This letter is provided in response to your letter dated June 26, 2006 (ML061990333), requesting clarification regarding acceptable practices of waste mixing as delineated in the NRC's Branch Technical Position (BTP) dated January 17, 1995, "Branch Technical Position on Concentration Averaging and Encapsulation" (ML033630732).

Request 1 "Please confirm that it is within the intent of the BTP that such mixing could be used to blend Class B or C wastes with Class A to produce Class A waste."

Response 1 It is not the intent of the BTP that mixing be used solely to reduce the resulting waste classification, however, if waste is mixed in accordance with the guidance of the BTP, resulting changes in waste classification are acceptable. As indicated in Paragraph 3.1 of the BTP, the classification of similar homogeneous waste types should be based on either (a) the highest nuclide concentrations in any of the individual waste types contributing to the mixture, or (b) the volumetric - or weight-averaged nuclide concentrations of the mixture, provided that the concentrations of the individual waste type contributors to the mixture are within a factor of 10 of the average concentration of the resulting mixture. The record of analyses that documents the licensee's use of concentration averaging and encapsulation practices defined in the technical position should generally be sufficient, in and of itself, to show that the averaging of concentrations was not undertaken solely to lower the classification of any specific waste in a disposal container.

Request 2 "Please confirm that mixing to dilute from Class B or C down to A (even when the concentrations of the individual waste type contributors to the mixture are greater than a factor of ten of the average concentration of the resulting mixture) is within the intent of the BTP (or authorized per paragraph 3.9, Alternate Provisions) as long as the resulting mixture is homogeneous with respect to waste type and activity concentration."

J. Harverson  
ALARON Corporation

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Response 2 The BTP provides guidance on acceptable classification or encapsulation practices. For mixing of homogeneous waste types or streams, this guidance is provided in Paragraph 3.1 as summarized in Response 1. In the event that a licensee desires alternate classification practices, the licensee should request use of the desired practices in accordance with 10 CFR 61.58 or Agreement State regulations compatible with 10 CFR 61.58, and as described in Paragraph 3.9 of the BTP.

Sincerely,

***Original signed by John D. Kinneman***

John D. Kinneman  
Deputy Director  
Division of Nuclear Materials Safety

cc:  
Jonathan H. Wallace, C.H.P., Radiation Safety Officer

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