



NUCLEAR ENERGY INSTITUTE

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January 12, 2009

Ms. Patrice M. Bubar, PE
Deputy Director
Environmental Protection and Performance Assessment Directorate
Federal and State Material and Environmental Programs
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: EPRI Technical Report 1016761, "Proposed Modifications to the NRC Branch Technical Position (BTP) on Concentration Averaging and Encapsulation" (November 2008).

Project Number: 689

Dear Ms. Bubar:

Over the past two years, the nuclear energy industry has engaged in a series of public meetings with NRC staff to discuss possible changes to NRC guidance on low-level radioactive waste (LLRW) management aimed at improving implementation flexibility, while maintaining protection of public health and the environment. These meetings originated in parallel with a strategic assessment of the LLRW regulatory program conducted by NRC staff (reported in SECY 07-180 in October 2007).

During the series of public meetings, the Electric Power Research Institute (EPRI) has provided periodic updates on an EPRI research project regarding possible modifications to the NRC branch technical position (BTP) on concentration averaging and encapsulation. This research focus has coincided with the results of the NRC strategic assessment and respective staff recommendations in regard to possible improvements to the BTP.

A copy of the final report for the EPRI research project is enclosed. We believe that the analytical results, conclusions, and recommendations contained in the report should prove useful to NRC staff in considering possible changes to the BTP. Please note that the report has been made available by EPRI for public distribution.

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We request an opportunity to meet with NRC staff in a public meeting to discuss the content of the report and exchange perspectives on possible changes to the BTP.

If you have any questions or comments regarding the report and to schedule a public meeting, please contact me at 202-730-8111 or rla@nei.org.

Sincerely,

A handwritten signature in black ink that reads "Ralph Andersen". The signature is written in a cursive style with a large initial "R".

Ralph L. Andersen

Enclosure