



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

October 8, 2009

MEMORANDUM TO: R. W. Borchardt  
Executive Director for Operations  
FROM: Chairman Jaczko  
SUBJECT: BLENDING OF LOW-LEVEL WASTE

Since the closure of the Barnwell disposal facility in 2008, the issue of blending of low-level waste (LLW) has received increased attention from stakeholders, industry, and Agreement States. We have received several inquiries from stakeholders asking us to clarify the Agency's position on blending and what is acceptable under our regulations and guidance, especially with respect to blending that results in a change in classification of the waste under 10 CFR Part 61.55. I understand that staff has already identified the revision of the Branch Technical Position on Concentration Averaging and Encapsulation as a high priority item in the 2007 LLW Strategic Assessment (SECY-07-0180). I am certain that there are policy issues related to blending that will need to be considered by the Commission. Therefore, staff should prepare a vote paper within 6 months of the date of this memo that discusses, among other topics that the staff considers germane, the following:

- Issues related to intentional changes in waste classification due to blending, including safety, security, and policy considerations
- Protection of the public, the intruder, and the environment
- Mathematical concentration averaging and homogeneous physical mixing
- Practical considerations in operating a waste treatment facility, disposal facility, or other facilities, including the appropriate point at which waste should be classified
- Recommendations for revisions, if necessary, to existing regulations, requirements, guidance, or oversight related to blending of LLW

cc: Commissioner Klein  
Commissioner Svinicki  
OGC  
SECY