

Richard and Carol Borgmeier

4260 South Foothill Drive

Bountiful, Utah 84010

December 18, 2009

Secretary of the Commission
U. S. Nuclear Regulatory Commission
Mail Stop 0-16G4
Washington, DC 20555-0001

Dear Secretary:

Re: Ref: Enclosed Salt Lake Tribune news articles dated 12-16-2009, Energy Solutions proposals to dilute higher strength radioactive wastes.

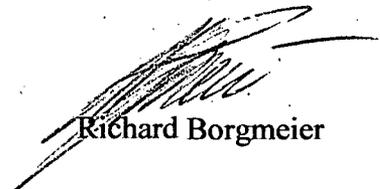
The original handling and control rules and regulation were established many years ago through scientific analysis of the conditions that prevailed at that time. Since radioactive waste was a relatively new type waste to be contended with, and because radioactivity usually has long life characteristics, thoughtful care was used in establishing the rules and regulation for handling, controlling and disposal of the waste.

Energy Solutions now has come along with its proposal to dilute some higher level grades of radioactive waste in order for it to be stored at its Utah facility. All industries have always used the moniker "dilution is the solution to pollution" as a throw away phrase for the quick and easy way to handle problematic high level waste problems. In the past, this approach, dilution, has been illegal and specifically against the standing rules and regulations.

Dilution should not be allowed now, or in the future, for handling long term radioactive pollution problems. Energy Solutions has frequently used public pronouncements of its righteous and honest approach to handling with their careful consideration, control and storage of the potential long term hazards connected with radioactive waste storage. Energy Solutions' chameleon-like approach now, to dilute higher level grades of radioactive waste, just to gain the economic advantage of selling space in their storage facility, flies in the face of established rules, good judgment and their attempts to establish themselves as being a sensible company in helping to alleviate radioactive waste storage problems in the United States.

Your strong consideration denying their request to use dilution techniques for any radioactive wastes is requested.

Sincerely yours,



Richard Borgmeier

EnergySolutions wants to mix in more-potent waste

By THOMAS BURR

The Salt Lake Tribune

Washington » EnergySolutions pressed its case Tuesday before the Nuclear Regulatory Commission to mix more-potent low-level radioactive waste with the materials it now buries at its Utah facility.

The Salt Lake City-based company made a pitch before the NRC that it was safe and consistent with current law to take higher-level waste and blend it with the Class A waste it now disposes of in its Tooele County site.

If more blending is allowed, EnergySolutions would be able to accept more-concentrated and hazardous radioactive waste as long as it was "watered down" with material of lower-concentration that is also permitted under the company's Utah license and state law.

It also would solve a problem for industry, which badly needs disposal for higher-concentration resins and other contaminated wastes from nuclear power plants, which have had no place for disposal since summer 2008.

"None of the states in which we operate have taken any specific regulatory or policy decisions that shows any objection to blending," Tom Magette, an EnergySolutions senior vice president, told the NRC Tuesday. "There's no proposal in Utah that would ban mixing

or blending of waste."

State law bars Class B and Class C waste, the latter of which stays radioactive for up to 500 years, but the law is silent on so-called blending.

The NRC is weighing whether to ease current restrictions on blending or to ban it.

A public hearing on the subject is slated for Jan. 14 in Rockville, Md., though EnergySolutions made its case Tuesday.

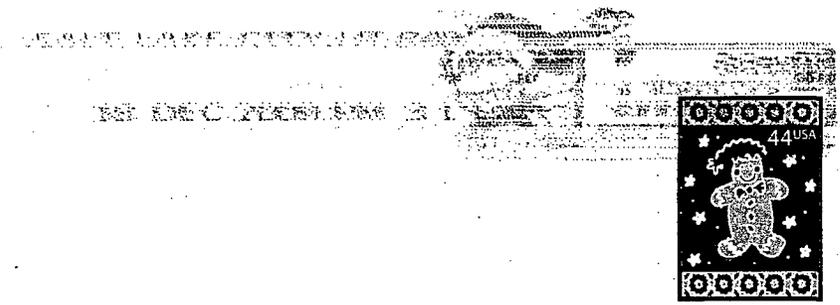
The company says that when it receives low-level waste it comes unclassified, and there's no regulation against taking that waste and mixing it with other materials so that the overall classification after processing is consistent with the lowest of the classes, Class A, which largely loses its radiological hazard in about 100 years.

Two companies, Studsvik Inc. and Waste Control Specialists, LLC, opposed EnergySolutions' move during presentations on Monday.

Lewis Johnson, president of Studsvik, said in an interview that EnergySolutions was going back on its promise that it wouldn't bring waste hotter than Class A into Utah.

"Quite frankly, EnergySolutions signed an agreement with then-Governor Huntsman that they would never bring B and C waste into the state and we kind of think this is a backdoor way into Utah," Johnson said.

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