

SOUTHEAST COMPACT COMMISSION
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STATES WORKING FOR RESPONSIBLE WASTE MANAGEMENT

facsimile transmittal

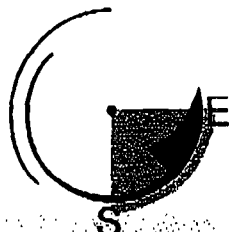
RDB, c/o
To: Michael T. Lesar Fax: 301-492-3446
From: Kathryn Haynes Date: 1/29/10
Re: Letter from M. Mobley Pages: 3
CC:

Urgent For Review Please Comment Please Reply As Requested

Notes:

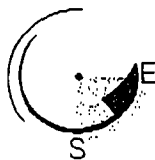
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74 FR 62606
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Add: J. Kennedy (JEK1)



Southeast Compact Commission
for Low-Level Radioactive Waste Management

States Working for Responsible Waste Management

BY FACSIMILE

January 29, 2010

Michael T. Lesar, Chief
Rulemaking and Directives Branch
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Office of Administration
Mail Stop TWB-05-B01M
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Washington, D.C. 20555-0001

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Kathryn V. Haynes, M.P.H.
Executive Director

SUBJECT: Docket ID NRC-2009-0520 - Response to Request for Comments on
Issues Related to the Blending of Low-Level Radioactive Waste
(74 Fed. Reg. 62,206)

This letter provides comments of the Southeast Compact Commission (Commission) on the Nuclear Regulatory Commission (NRC) request for comments regarding issues related to the blending of low-level radioactive waste, as described in the subject *Federal Register* notice.

While the Commission has not established a formal position with regard to the practice of blending, the Commission is mandated to provide for the safe, efficient management of low-level radioactive waste generated in its member states. Therefore, when considering proposed changes to guidance, rulemaking, or other actions related to blending of low-level radioactive waste, the Commission respectfully requests that the NRC consider the following:

- How would increased blending impact the ability of non-utility generators to dispose of Class B & C waste, including sealed sources (i.e. will it impact availability of disposal? Access to disposal? Affordability)?
- How would increased blending impact the economic viability of the existing processing facilities? If processing is no longer available for certain waste streams, how will this impact the ability of waste generators to manage and store their waste safely?
- How will increased blending affect existing and planned disposal capacity in the United States?
- If no new disposal facility is available to the non-sited states and compacts, what will be the effect of increased blending on users of sealed sources? On treatment facilities?

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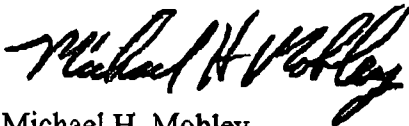
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- If blending is not going to be allowed in the future, how will it affect licensees that now have processes that blend materials? Under what circumstances will blending be allowed, e.g., would bulking materials before burning be disallowed? Would all waste streams have to remain segregated from other like or similar materials?
- Many waste processors now bulk or combine materials prior to processing the material through a particular process or operation to provide for efficiencies and better processing conditions for the materials in question, e.g., the use of contaminated oils to fire incinerators/boilers to provide for volume reduction of solids or other liquids. Processor operations and numerous other licensed operations could be significantly impacted by a rigid no blending rule.
- Any actions taken by the NRC regarding blending policy and practices could impact the movement of some Class B and C waste to treatment and storage facilities and ultimately to disposal facilities. Such actions must allow host states and compacts to retain their lawfully established jurisdictions, including control over import and export of low-level radioactive waste.

I appreciate the opportunity to provide comments on the issues related to the blending of low-level radioactive waste. I am available to discuss the Commission's views at 931-801-7540.

Sincerely,



Michael H. Mobley
Chair