

EDO Principal Correspondence Control

FROM: DUE: 05/17/10

EDO CONTROL: G20100253
DOC DT: 04/27/10
FINAL REPLY:

Representative David P. Roe

TO:

Chairman Jaczko

FOR SIGNATURE OF :

** PRI **

CRC NO: 10-0186

Chairman Jaczko

DESC:

Commission Policy on Blending of Low-Level
Radioactive Waste (EDATS: SECY-2010-0227)

ROUTING:

Borchardt
Virgilio
Mallett
Ash
Mamish
Burns/Rothschild
Miller, FSME
Schmidt, OCA
Burns, OGC

DATE: 04/29/10

ASSIGNED TO:

CONTACT:

EDO

Rihm

SPECIAL INSTRUCTIONS OR REMARKS:

Please prepare response in accordance with OEDO
Notice 2009-0441-02 (ML093290179). FSME to provide
input to Roger Rihm, OEDO, if required. Roger Rihm
will coordinate response with OGC and OCA.

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EDATS

Electronic Document and Action Tracking System

EDATS Number: SECY-2010-0227

Source: SECY

General Information

Assigned To: OEDO

OEDO Due Date: 5/17/2010 11:00 PM

Other Assignees:

SECY Due Date: 5/19/2010 11:00 PM

Subject: Commission Policy on Blending of Low-Level Radioactive Waste

Description:

CC Routing: FSME; OGC; OCA

ADAMS Accession Numbers - Incoming: NONE

Response/Package: NONE

Other Information

Cross Reference Number: G20100253, LTR-10-0186

Staff Initiated: NO

Related Task:

Recurring Item: NO

File Routing: EDATS

Agency Lesson Learned: NO

OEDO Monthly Report Item: NO

Process Information

Action Type: Letter

Priority: Medium

Sensitivity: None

Signature Level: Chairman Jaczko

Urgency: NO

Approval Level: No Approval Required

OEDO Concurrence: YES

OCM Concurrence: NO

OCA Concurrence: NO

Special Instructions: Please prepare response in accordance with OEDO Notice 2009-0441-02 (ML093290179). FSME to provide input to Roger Rihm, OEDO, if required. Roger Rihm will coordinate response with OGC and OCA.

Document Information

Originator Name: Representative David P. Roe

Date of Incoming: 4/27/2010

Originating Organization: Congress

Document Received by SECY Date: 4/28/2010

Addressee: Chairman Jaczko

Date Response Requested by Originator: NONE

Incoming Task Received: Letter

DAVID P. ROE
1ST DISTRICT, TENNESSEE

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April 27, 2010

The Honorable Gregory Jaczko
Chairman
Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Chairman Jaczko,

I write to you regarding my concern about a potential revision to the Commission's policy on blending of low-level radioactive waste. The revision would allow nuclear waste processors for the first time to intentionally dilute waste for the purpose of lowering its classification and thereby avoiding regulatory safeguards that are more stringent for disposal of higher level Class B and C radioactive waste.

This is an issue of particular concern because the leading proponent of blending various classes of waste plans to process a significant amount of waste at its facility in Tennessee. In the Federal Register Notice announcing the potential change in policy, the Commission makes clear that "the scale of blending being considered" is "potentially much larger than current practice."

Blending of waste creates more environmental and public health risks than existing processing and disposal options. One of the comments received by the Commission pointed out that blending could result in future exposures of more than 450 times the permissible annual radiation dose under current regulations. The Commission has never done an environmental assessment to determine if it were to allow blending, whether Class A disposal regulations are adequate to protect the environment or public health when all or most of the Class A waste being buried is at or near the Class A radiation limit.

Some in the industry have called for blending after the closure of the Barnwell, South Carolina disposal facility to out-of-compact waste left generators in 36 states with no place to dispose of their Class B and C low-level radioactive waste. However, blending/dilution is not necessary. For the first time since the interstate compact system for low-level radioactive waste disposal was created in the 1980s, a new disposal site is opening in Andrews County, Texas. So there is no imminent need to allow blending and reduce regulatory safeguards.

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I urge the Commission to reaffirm that the large-scale blending being proposed is not permitted under current policy and not to lower the safety standards for the disposal of material that would otherwise be classified as Class B and C radioactive waste.

Sincerely,

A handwritten signature in black ink, appearing to read "David P. Roe". The signature is stylized and written in a cursive-like font.

David P. Roe
Member of Congress TN-01