

November 18, 2010

The Honorable Jim Matheson
United States House of Representatives
Washington, D.C. 20515

Dear Congressman Matheson:

Thank you for your letter of June 10, 2010, regarding the blending of low-level radioactive waste (LLW). As we shared with you in June, I waited to respond to your letter until after the Commission was briefed on the Nuclear Regulatory Commission (NRC) staff's April 7, 2010, blending policy paper and had the opportunity to vote on the matter. The Commission issued its direction to the staff regarding blending of LLW on October 13, 2010; a copy is enclosed for your information. Also enclosed are responses to your specific questions regarding blending.

The Commission approved the staff's recommended Option 2 to clarify the agency's position on blending of LLW. This decision clarifies the agency's position on blending of waste streams so that it is more risk-informed and performance-based, with the principal consideration being whether a final blended waste form could be disposed of in a way that provides adequate protection of public health and safety. This option will be implemented through a combination of rulemaking and issuance of new guidance. The Commission's direction to the staff also noted that entities wishing to pursue large-scale blending should be encouraged to wait until the revised guidance is published in final form.

The Commission has directed the staff to ensure that communications during the rulemaking process are responsive to the heightened public interest in blending. The staff will also consider additional opportunities for stakeholder involvement and education in the development of the rule, such as additional public meetings or extensions of the public comment period on the rule.

Thank you for this opportunity to share with you our approach to the blending of LLW, and I assure you that we are cognizant of our statutory and regulatory obligations. If you need

any additional information, please contact me or have your staff contact Ms. Rebecca Schmidt, Director of the Office of Congressional Affairs, at (301) 415-1776.

Sincerely,

/RA/

Gregory B. Jaczko

Enclosures:

1. U.S. Nuclear Regulatory Commission
Response to June 10, 2010 Information
Request
2. Staff Requirements Memorandum –
SECY-10-0043 – Blending of Low-
Level Radioactive Waste

Identical letter sent to:

The Honorable Jim Matheson
United States House of Representatives
Washington, D.C. 20515

The Honorable Edward J. Markey
United States House of Representatives
Washington, D.C. 20515

The Honorable Bart Gordon
United States House of Representatives
Washington, D.C. 20515