



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

8/15/2011
76FR 52500

7

RECEIVED

AUG 17 AM 8:14

REGISTRATION SERVICES

50 NSE Review Complete
Template = ADM-013

E-REDS = ADM-03

Call =

D. Lewman (6612)

TO: Cindy Bladey, Chief, Rules, Announcements, and Directives Branch (RADB), Office of Administration, Mail Stop: TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

From: Matt Pacenza, Policy Director, HEAL Utah. matt@healutah.org
(801) 355-5055 (office). 824 South 400 West, Suite B111, Salt Lake City, Utah 84101.

To Whom It May Concern:

Thanks for the opportunity to comment on the Draft Policy Statement on Volume Reduction and Low-Level Radioactive Waste Management (NRC 2011-0183.)

We would like to direct our comments specifically to the practice of waste-blending. For Utah, of course, this is not just a theoretical concern, but a looming reality. EnergySolutions is seeking permission from the state of Utah to begin waste-blending immediately, to begin blending class B & class C waste in Tennessee, to mix it with a larger volume of class A waste, and to dispose of the resulting mixture at Clive. That mixture, of course, is only being created so that it can be disposed of in Utah, where we have state laws that ban hotter B&C wastes.

Before we explain why the NRC should reject this proposal – and stick to its previous position opposing practices which increase waste volumes – allow us a moment to share with you what we have learned about EnergySolutions' blended waste bid. Our analysis – based upon data from the Electric Power Research Institute (EPRI) – shows that blended waste would dramatically increase the total radioactivity coming to the company's disposal facility in Clive.

A review of state records shows that in 2010, EnergySolutions brought waste containing 7,450 curies of radioactivity to Utah. Analysis of a technical survey of nuclear power plants done by EPRI¹ suggests that blending could bring an additional 19,184 to 28,470 curies of resins to Utah every year. That would triple to quadruple the current amount. To put it another way, allowing blended waste in Clive could lead to as much radioactivity being dumped at the site over two-and-a-half years – as was dumped there during the first 21 years the site was open, from 1990-2011.

Clearly, waste-blending would dramatically transform the waste that comes to Utah. It offers a loophole to bypass our ban on class B&C wastes, and locks Clive in as the sole depository for nearly all the nation's LLRW.

So why do it? Previously, the rationale was clear. The NRC itself described it well in a recent memo², "...the closure of the Barnwell facility to LLRW generators in 36

¹ We would be more than happy to share this analysis with you.

² <http://www.nrc.gov/waste/llw-disposal/llw-pa/bgrnd-llw-blending.html>

States means that they have no disposal option for their Class B or C LLRW and must therefore store it....” Given that the NRC rightly supports disposal over storage, it was necessary to contemplate alternative disposal locations and methods, even if that meant reversing long-held positions on volume reduction.

But, of course, this need for alternative disposal locations, for eliminating 30-year-old policies, no longer exists: A facility is about to open which is licensed to take class B & C wastes: the Waste Control Specialists’ facility in Andrews, Texas, at its 1,338-acre site. According to the company’s Web site, the site will officially open on November 10.

This fact leads us to only one conclusion: There is no reason for the NRC to embark upon an overhaul of its policies on Volume Reduction and Low-Level Radioactive Waste Management. There is no reason to allow waste-blending, to support a practice of mixing class B&C wastes and to thus considerably expand the volume of class A wastes. And, finally, there is no reason to force Utah to accept nearly all of the nation’s LLRW, dramatically increasing the radioactivity of the material that would be disposed of in Clive.

The NRC should, instead, continue to prioritize policies which “focus on volume reduction [to] extend the operational lifetime of the existing commercial low-level disposal sites and reduce the number of waste shipments.” There is no need to rework a key section of NRC policy – to address a problem which no longer exists.

Thank you for your opportunity to comment on this matter. Please let us know if you have any questions.

Sincerely,

Matt Pacenza