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The Honorable Lando W. Zech, Jr.
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Zech:

SUBJECT: ACRS COMMENTS ON DISPOSAL OF MIXED WASTE

During the 326th meeting of the ACRS, June 4-6, 1987, we heard a report from the Division of Low-Level Waste Management and Decommissioning on its efforts to develop jointly with the U.S. Environmental Protection Agency (EPA) a definition of, and acceptable methods for regulating the disposal of, "mixed waste." This subject was also discussed by our Waste Management Subcommittee during a meeting on May 18-19, 1987.

Our impression is that NRC Staff members responsible for this effort have, in cooperation with the EPA, made significant progress in resolving the relevant issues (namely, siting guidelines, design standards, and the complexities of dual regulation). We commend them for their efforts.

We have some concerns, however, about the interpretation of the definition of "mixed waste." If a strict interpretation results in a large increase in the wastes classified within this category, this could have a negative impact on the disposal of wastes from many facets of the nuclear industry. Specific questions to be addressed in resolving this issue include the procedures and schedule for licensing facilities where such wastes can be disposed, the role of Agreement States in such activities, and how such wastes are to be handled in the interim.

We concur with the NRC Staff's conclusion that substantial work is still required for the dual issuance of EPA permits and NRC licenses, as well as dual inspection and enforcement activities. We request that the NRC Staff keep us informed as progress is made in this area.

Sincerely,

William Kerr
Chairman

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