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FACIL: 50-220 NINE MILE POINT #1, NIAGARA MOHAWK POWER CORP.

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SALZMAN, L. Friends of the Earth

RECIP. NAME RECIPIENT AFFILIATION

IPPOLITO, T. \*\*\*OPERATING REACTORS BRANCH 3

SUBJECT: Believes const of radioactive waste solidification & incinerator at facil should be stopped. Feels act of incineration low-level wastes constitutes "de facto" waste disposal technology.

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WITNESS my hand and the Great Seal of the United States at [City], this [Date] day of [Month], 19[Year].

JOHN D. [Name], Secretary of the Interior.

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50-220



# FRIENDS OF THE EARTH

72 JANE STREET • NEW YORK, NEW YORK 10014 • (212) 675-5911

Jan. 10, 1979

Thomas Ippolito,  
Nuclear Regulatory Commission  
Washington, D.C.

Dear Mr. Ippolito:

This is in reference to the plans of Niagara Mohawk Power Corp. to construct a radioactive waste solidification and incinerator at their Nine Mile Point 1 unit. We believe there are many grounds - including the fact that this system is untested and that NRC staff have many unanswered questions about the system - for opposing this incinerator.

One important aspect has apparently been overlooked, namely just how and where this incinerator fits into the formulation of Federal policy on radioactive waste disposal. The acts of compacting and incinerating low-level wastes constitute a de facto waste disposal technology; in effect Niagara Mohawk would be deciding on and implementing a disposal technology completely outside the purview of those Federal agencies now debating the technical and environmental merits of a wide spectrum of disposal technologies and options. Not the least of this is the fact that U.S. EPA has recently published for comment its proposed criteria for waste disposal, and many organizations and agencies have already expressed the opinion that no particular waste technology, medium or site be implemented until these criteria have been discussed, revised and legally promulgated. It would seem highly improper if not illegal for the NRC to permit a waste incinerator to go into operation not only outside the legal NEPA processes but outside the lengthy complex processes begun by the Interagency Review Group on Waste Management to develop a national waste policy. Ad hoc, unilateral, unreviewed decisions by private utilities to dispose of wastes cannot be tolerated under the circumstances.

We believe the above arguments are compelling reasons for halting the Niagara Mohawk plans and postponing any action on the incinerator until the completion of the required legal, administrative and political processes that must precede decisions on waste treatment and disposal, and we urge that NRC use its authority to deny the Niagara Mohawk application.

Sincerely,

*Lorna Salzman*

Lorna Salzman

Mid-Atlantic Rep., F-7

cc: James Larocca  
Charles Zielinski  
U.S. EPA  
Council on Environmental Quality  
Gov. Hugh Carey  
Interagency Review Group  
Ecology Action of Oswego  
Sierra Club  
Assemblyman William Hoyt  
Cong. Richard Ottinger

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