

MARCH 19 1979

50-220

Ms. Lorna Salzman  
Friends of the Earth  
72 Jane Street  
New York, New York 10014

Dear Ms. Salzman:

Thank you for your letter of January 10, 1979 wherein you urged that the staff deny the Niagara Mohawk application to construct a radioactive waste incinerator and solidification system at the Nine Mile Point Unit No. 1 Nuclear Plant. Please accept our apologies for the lack of a prompt response.

The licensee's proposed facility has been under review since September 1978. Our review includes a determination of safety aspects as well as an appraisal of environmental impacts. Upon completion of the environmental appraisal, a decision will be made in accordance with 10 CFR 51.5 and 40 CFR 1500.6 on whether an Environmental Impact Statement (EIS) should be issued. Should an EIS not be issued, a Negative Declaration accompanied by an Environmental Impact Appraisal will be issued with our Safety Evaluation on the proposal.

Your concern regarding Niagara Mohawk's proposal as it relates to the formulation of federal policy on radioactive waste disposal appears to refer to the Environmental Protection Agency (EPA) proposed, "Criteria for Radioactive Wastes." (Federal Register Vol. 43, No. 22, November 15, 1978). The NRC is presently reviewing these proposed EPA criteria. Pending finalization, it is our intention to review the licensee's proposal using the current NRC radioactive waste classifications since the EPA criteria have yet to be issued in final form and could be substantially modified. However, upon finalization of the EPA criteria, the present NRC policy will be re-examined and the current practices at operating nuclear plants will be re-evaluated, if appropriate.

It should be noted that the Niagara Mohawk proposal does not in itself constitute a waste disposal mechanism. It is a volume reduction technique which, by incineration/calcination, results in a residue of low level waste which will be solidified and disposed of in the same manner as is

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Ms. Lorna Salzman

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currently used throughout the nuclear industry. With respect to volume reduction, the NRC is presently contracting for a, "Study of Volume Reduction Techniques for Low Level Radioactive Wastes." The report on this subject is scheduled for the first quarter of 1980. In the interim, the relationship of the Niagara Mohawk proposal to this study will be considered during our review of their application.

If we can be of further assistance, please advise.

Sincerely,

Original signed by

Thomas A. Ippolito, Chief  
Operating Reactors Branch #3  
Division of Operating Reactors

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