

JUL 7 1978

The Honorable Gary Hart  
Chairman, Subcommittee on  
Nuclear Regulation  
Committee on Environment and Public Works  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

The matter of the safe disposal of radioactive wastes is one of concern to the Nuclear Regulatory Commission (NRC). I would like to inform the committee of the current status of disposal capacity for management of the nation's low-level radioactive wastes and actions we are taking regarding this matter.

Recent developments at the six commercial low-level radioactive waste burial sites have raised the question of whether adequate regionally distributed disposal capacity for the nation's low-level wastes will be available at currently operating facilities. Two of the six licensed commercial burial grounds (West Valley, New York, and Maxey Flats, Kentucky) are closed. A third site (Sheffield, Illinois) has reached its licensed capacity and is no longer accepting waste for disposal (public hearings will be conducted on an application for site expansion). The State of South Carolina has placed a limit of 135,000 ft<sup>3</sup>/month (the average monthly rate for 1977) on the volume of waste that may be buried at a fourth site (Barnwell, South Carolina). In addition, an application for a new commercial burial site in New Mexico was withdrawn by the applicant earlier this year. Thus a large fraction of the wastes from reactors and other waste generators located in the eastern and mid-western United States must be transported to the burial sites at Beatty, Nevada and Hanford, Washington.

Enclosure I shows the volumes of waste buried and the remaining capacities of the six commercial low-level disposal sites. Adequate low-level waste disposal capacity presently exists at the Barnwell, South Carolina, Beatty, Nevada, and Hanford, Washington sites to the mid 1980's assuming these sites continue to operate and no additional limitations are placed on the volumes of wastes received at these sites. We know of no plans by Nevada or Washington to limit the volume of waste received at their sites. Very little flexibility exists in options for low-level waste disposal if operation problems develop at the remaining sites.

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The NRC believes, in the short term that the present situation can be addressed by the industry cooperatively working out arrangements for use of shielded casks, transport vehicles, interim storage and optimal utilization of the capacity of the three operating sites. However, NRC also believes that additional standby capacity should be available. There is no prospect of opening new commercial burial grounds in the near future; only Department of Energy (DOE) owned and operated burial grounds could meet this need. Thus, we believe it prudent for the DOE to develop a contingency plan which would allow the DOE burial sites to accept commercially generated wastes should the need arise.

I have sent a letter to Dr. Schlesinger requesting DOE to develop such a contingency plan and have initiated discussions between our respective staffs. I have also requested Dr. Schlesinger to consider disposing of radioactive wastes from DOE prime contractors at DOE sites rather than at commercial burial sites.

NRC also plans to issue an advance notice of proposed rulemaking to solicit comments on development of a regulatory program for alternative disposal methods to the currently practiced method of shallow land burial. Such alternatives may offer one means of providing additional disposal capacity. In the long term, NRC plans to continue to address the issue of safe capacity for management of the nation's low-level wastes. We also know that this issue is among those being addressed by the Presidential Interagency Review Group on Nuclear Waste Management.

I will keep you informed of DOE's response to our request and of further developments that could affect the nation's low-level waste disposal capacity.

Sincerely,

Original signed by  
Joseph H. Hendrie

Joseph H. Hendrie  
Chairman

Enclosure:  
Status of Licensed Commercial  
Low-Level Waste Disposal Sites

cc: Sen. James McClure

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Identical Letters Sent To:

The Honorable Morris K. Udall  
Chairman, Subcommittee on  
Energy and the Environment  
Committee on Interior and Insular Affairs  
United States House of Representatives  
Washington, D.C. 20515

cc: Rep. Robert Bauman

The Honorable John D. Dingell,  
Chairman, Subcommittee on Energy and Power  
Committee on Interstate and Foreign Commerce  
United States House of Representatives  
Washington, D.C. 20515

cc: Rep. Clarence J. Brown

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Status of Licensed Commercial Low-Level Waste Disposal Sites

	Volume of Waste Buried Through 1977 (ft <sup>3</sup> )	Approximate Waste* Capacity Remaining (ft <sup>3</sup> )	Current Status
Barnwell, SC	5,164,174	50,993,416	OPEN--Limited to 135,000 ft <sup>3</sup> /month
Sheffield, IL	3,023,000	0	Licensed Capacity Filled
Beatty, NV	2,137,460	16,986,034	OPEN
Hanford, WA	596,023	44,142,500	OPEN
Maxey Flats, KY	4,964,932	15,785,358	CLOSED FOR STUDY
West Valley, NY	2,460,000	1,483,188	CLOSED BY OPERATOR

\* Calculated based on data supplied by the States

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