

Docket No. 50-320

The Honorable Richard L. Ottinger  
United States House of  
Representatives  
Washington, D. C. 20515

AUG 25 1980

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Dear Congressman Ottinger:

We are pleased to provide you the information you requested in your letter to Commissioner Hendrie dated July 3, 1980. In your letter, you requested Nuclear Regulatory Commission (NRC) comments on a statement in a letter from Mr. Peter Montague to the Editor of the New York Times dated June 11, 1980. Mr. Montague's letter states the cesium content of wastes being stored at Three Mile Island is "hundreds of times higher than the NRC's own proposed upper limit for cesium content of wastes defined as low-level". The wastes referred to by Mr. Montague are the spent resins from the EPICOR-II processing system, described in the staff's "Environmental Assessment for Use of EPICOR-II at Three Mile Island, Unit 2", (NUREG-0591). Mr. Montague concludes that these wastes will need to be buried in deep geologic repositories along with the rest of the nation's high-level wastes.

Mr. Montague has apparently incorrectly interpreted a document entitled "Draft Technical Basis for Supporting Additional Technical Criteria and Regulatory Guides to Implement This Part for Land Burial of Low-Level Wastes". This "Draft Technical Basis" is an attachment to the preliminary draft regulation "10 CFR Part 61: Disposal of Low-Level Radioactive Waste and Low-Activity Bulk Solid Waste". A Federal Register Notice announcing the availability of the above document was published on February 28, 1980, (45 FR 13104). Copies of the above document are attached for your information and referral.

The "Upper limit for cesium content of wastes defined as low-level" referred to in Mr. Montague's letter is part of a table on page 7 of the "Draft Technical Basis". This table presents radionuclide concentration guidelines for wastes considered clearly acceptable for shallow land burial at a low-level waste disposal site. It was not intended to define "low-level wastes". Sections III.a and b (page 6) of the "Draft Technical Basis" point out that other concentrations may be acceptable depending on the waste form or the way the waste is buried at the disposal site (e.g., the depth of burial and the intruder barriers provided).

In summary, Mr. Montague is correct in stating that some of the EPICOR-II resin wastes have cesium contents greater than a guideline cesium concentration limit for shallow land burial in the "Draft Technical Basis". However, he is not correct in assuming this means that these wastes have to be disposed of as high-level wastes in deep geologic repositories. With appropriate techniques for isolation of the wastes in the burial environment (e.g. burial at greater depths, provision of

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intruder barriers), the wastes are considered to be suitable for burial at a commercial low-level waste disposal site.

EPICOR-II resin wastes are required by Commission Order to be solidified prior to disposal. Although no decision has been made on the way the solidified EPICOR-II resin wastes should be disposed of, special disposal arrangements will be required.

Sincerely,

(Signed) E. Kevin Cornell

William J. Dircks, Acting  
Executive Director for Operations

Enclosures:

- 1. 10 CFR 61 (Draft)
- 2. "Draft Technical Basis"
- 3. 45 FR 13104

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