



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555-0001

April 14, 1994

The Honorable Joseph Lieberman, Chairman  
Subcommittee on Clean Air and Nuclear Regulation  
Committee on Environment and Public Works  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

The NRC has sent to the Office of the Federal Register for publication the enclosed denial of a petition for rulemaking submitted by the New England Coalition on Nuclear Pollution, Inc. The petitioner requested that the NRC amend its regulations regarding waste classification of low-level radioactive waste to restrict the number and types of waste streams which can be disposed of in near-surface disposal facilities. The petitioner asserts that significant new information in three critical areas has been developed since the current rules were promulgated -- revised international and national guidance on dose limits, consideration of the potential consequences of deliberate intrusion into the low-level waste disposal facility, and presumed reduced cost differentials between shallow-land disposal and geologic disposal, require a supplemental Environmental Impact Statement (EIS).

The petition is being denied for the following reasons. First, the petitioner is proposing an inappropriate application of dose limits recommended by international and national standards organizations to the consideration of inadvertent intrusion. Second, the petitioner has not provided adequate information to justify consideration of "deliberate" intrusion as a basis for waste classification. The NRC continues to believe, as stated in the EIS, that protection against deliberate intrusion would be unnecessarily conservative and unwarranted. Finally, a supplemental EIS is not needed since the petitioner has provided no new information relative to the disposal of low-level waste.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dennis K. Rathbun".

Dennis K. Rathbun, Director  
Office of Congressional Affairs

Enclosure:  
Federal Register Notice

cc: Senator Alan K. Simpson

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

April 14, 1994

The Honorable Philip R. Sharp, Chairman  
Subcommittee on Energy and Power  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

The NRC has sent to the Office of the Federal Register for publication the enclosed denial of a petition for rulemaking submitted by the New England Coalition on Nuclear Pollution, Inc. The petitioner requested that the NRC amend its regulations regarding waste classification of low-level radioactive waste to restrict the number and types of waste streams which can be disposed of in near-surface disposal facilities. The petitioner asserts that significant new information in three critical areas has been developed since the current rules were promulgated -- revised international and national guidance on dose limits, consideration of the potential consequences of deliberate intrusion into the low-level waste disposal facility, and presumed reduced cost differentials between shallow-land disposal and geologic disposal, require a supplemental Environmental Impact Statement (EIS).

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Dennis K. Rathbun, Director  
Office of Congressional Affairs

Enclosure: Federal Register Notice

cc: Representative Michael Bilirakis



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

April 14, 1994

The Honorable Richard H. Lehman, Chairman  
Subcommittee on Energy and Mineral Resources  
Committee on Natural Resources  
United States House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

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Dennis K. Rathbun, Director  
Office of Congressional Affairs

Enclosure:  
Federal Register Notice

cc: Representative Barbara Vucanovich

April 14, 1994

The Honorable Philip R. Sharp, Chairman  
Subcommittee on Energy and Power  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, DC 20515

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Sincerely,  
Dennis K. Rathbun, Director  
Office of Congressional Affairs

Enclosure: Federal Register Notice  
cc: Representative Michael Bilirakis

[NPET.CG2]

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Date:	2/24/94	2/24/94	3/2/94	3/5/94	3/3/94	3/8/94	1/94

Offc: OCA *WRDB*  
 Name: DKRathbun *WRDB*  
 Date: 4/12/94

3/31  
*Beck*

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