

3/15/89

Mr. Gregory J. Blass, Presiding Officer  
Suffolk County Legislature  
11 West Second Street  
P.O. Box 911  
Riverhead, New York 11901

Dear Mr. Blass:

Your letter of February 22, 1989 to Mr. John Stewart expressed your concern regarding the public health risks associated with the disposal of low-level radioactive waste in landfills and incinerators.

In response to your concerns, I would first point out that the Nuclear Regulatory Commission (NRC) has not published any proposed regulations which would allow disposal of low level waste in public landfills or incinerators. I believe the "Regulatory Alert" you received from the Nuclear Information and Resource Service was referring to Commission activities directed toward development of a regulatory "exemption" policy which would be applicable to the use, distribution, or disposal of radioactive material. As a key step in this development effort, the Commission issued the enclosed advance notice in the Federal Register on December 12, 1988 and solicited public comment. In part, this initiative, and a final procedural statement of policy issued in August 1986, are directed toward NRC responsibilities defined in the Low Level Radioactive Waste Policy Amendments Act of 1980. It is true that this exemption policy could provide the underpinning for the development of subsequent Commission regulations and that these regulations could address disposal of very low level radioactive waste at other than licensed low-level radioactive waste disposal sites.

Following discussions with Mr. Ulschaefer of your staff, and in response to your request to be briefed on this matter, I have enclosed a copy of the December 12, 1988 advance notice and am also providing an International Atomic Energy Agency Safety Series document which you may find informative. I would note that the NRC has received almost 200 comment letters responding to the advance notice. In these letters, the commenters have addressed issues which the NRC recognizes are important and must be resolved in a satisfactory manner.

I believe, and I hope you would agree, that the issue of proper and reasonable disposal of all our society's waste is one upon which the public's attention is, and should continue to be, rightly focused. In fact, the NRC's goal in

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formulating its exemption policy is to attempt to address this issue for radioactive materials - providing for public health and safety and protecting the environment while effectively using and disposing of radioactive material in an optimum fashion.

If I can be of further assistance in responding to your questions or concerns, especially regarding the advance notice, please contact me at (301) 492-3774.

Sincerely,

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William Lahs, Acting Branch Chief  
Regulation Development Branch  
Division of Regulatory Applications  
Office of Nuclear Regulatory Research

Enclosure:

1. Federal Register advance notice
2. IAEA Safety Series document

Distribution: [BLASS/LTR]

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Reading Files

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