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FROM: DUE: 04/04/05 EDO CONTROL: G20050207
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FINAL REPLY:

Rep. Jay Inslee

TO:

Chairman Diaz

FOR SIGNATURE OF :

** PRI **

CRC NO: 05-0159

Chairman

DESC:

ROUTING:

Concerns Application by Connecticut Yankee Atomic
Power Company Regarding the Disposal of Materials
from Connecticut Yankee Haddam Neck Nuclear Power
Facility

Reyes
Virgilio
Kane
Merschhoff
Silber
Dean
Burns/Cyr
Collins, RI

DATE: 03/25/05

ASSIGNED TO:

CONTACT:

NMSS

Strosnider

SPECIAL INSTRUCTIONS OR REMARKS:

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AUTHOR: Jay Inslee
AFFILIATION: REP
ADDRESSEE: Nils Diaz
SUBJECT: Concerns application by Connecticut Yankee Atomic Power Company regarding the disposal of materials from CT Yankee Haddam Neck nuc power facility

ACTION: Signature of Chairman
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EDO --G20050207

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1ST DISTRICT, WASHINGTON

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March 23, 2005

The Honorable Nils J. Diaz
Chairman
Nuclear Regulatory Commission (NRC)
One White Flint North Building
11555 Rockville Pike
Rockville, MD 20852-2738

Dear Mr. Chairman:

I am writing regarding an application by Connecticut Yankee Atomic Power Company (Connecticut Yankee) to your Commission concerning the disposal of materials from Connecticut Yankee Haddam Neck nuclear power facility site.

As a member of Congress from Washington State, I have long supported the efforts to ensure that unregulated disposal of radioactive wastes at the U.S. DOE Hanford site does not further impact the Columbia River. I also support efforts by Washington State to ensure that cumulative impacts of further radioactive waste disposal on the Columbia are fully considered.

Connecticut Yankee is currently requesting authorization from the NRC to dispose of materials from their Haddam Neck plant at US Ecology's unlicensed hazardous waste disposal facility which is located along the Snake River, a tributary of the Columbia River. The application involving a site upstream on the Snake River raises concerns for me and many downriver residents working to protect the Columbia River system.

As you can imagine, a number of Washington State residents find it problematic that the NRC may be moving forward with a decision on this issue without properly including the public. It is my understanding that the NRC has been asked to authorize the proposed disposal under section 20.2002 of the Commission's rules. At the same time, it is also my understanding that the NRC is on the verge of initiating a low-activity solid waste materials rulemaking, addressing the issue of whether and when low-activity waste should be allowed to be disposed of at unlicensed facilities, which are the same issues that the NRC must consider for the Haddam Neck application.

The Honorable Nils J. Diaz
Page 2

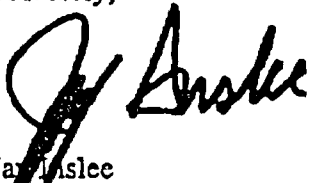
March 23, 2005

I strongly urge the NRC to consider the Connecticut Yankee application as a part of its rulemaking governing disposal of low-activity waste, and that the public be afforded all the appropriate opportunities for engagement in the decision regarding the application. This is an issue with potentially significant downstream consequences, both with regard to the precedents the NRC may set in how it makes this decision, and potential effects the decision may have on Washington State residents. The general public, tribes, and states should be permitted to comment on the issues involved, and the NRC should complete a comment analysis on the comments received. The NRC should also consider alternative disposal options and generically analyze the suitability of disposing this waste at unlicensed facilities.

Government always has a responsibility to build trust with its citizens, particularly when making such permanent and significant decisions. It is in the best interests of my constituents, the NRC, companies involved, and the environmental organizations engaged in this matter for the NRC to consider the Connecticut Yankee issue in a manner that builds trust between the parties, rather than further contributing to what a National Academy of Sciences study termed "a legacy of distrust." I believe that in the case of the Connecticut Yankee application, trust can be best nurtured through thorough analyses and robust public engagement.

I would be pleased to discuss any aspect of this letter with you and the other Commissioners at your convenience.

Sincerely,



Jay Inslee
Member of Congress

cc: Commissioner Edward McGaffigan, Jr.
Commissioner Jeffrey S. Merrifield
Commissioner Greg Jaczko
Commissioner Peter Lyons