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*P.J. Mayo & Associates*

March 1, 1997

Mr. Gary C. Comfort  
U.S. Nuclear Regulatory Commission  
Mail Stop 7-D14 TWFN  
Washington, DC 20555

Dear Gary:

One of the issues that arose in our recent review of the DEIS for the decommissioning of the West Valley site was that an on-site disposal option consistent with NRC requirements was not offered as one of the alternatives for site cleanup. The DEIS could have contained an analysis of other disposal technologies (namely, intermediate depth geologic disposal in the shale bedrock at the Western New York Nuclear Service Center). Given the costs of the other alternatives proposed for West Valley site decommissioning, and their technical problems with respect to 10 CFR Part 61, such an alternative may have shown to be viable, if not attractive.

More generally, near-surface disposal technologies can be shown ("on paper") to provide reasonable assurance of long-term disposal of LLW in accordance with 10 CFR Part 61, but the standards for "reasonable assurance" resident in the minds of the public and most public officials makes it difficult, if not impossible, to demonstrate that near-surface disposal of LLW is an appropriate solution. For these and other reasons, we have come to believe that there is a fairly urgent need to address the uncertainties and perceived limitations of conventional near-surface disposal by providing the detailed regulatory basis and other guidance required to support an alternative long-term disposal option for LLW.

Our thoughts on this subject are outlined in a technical paper that will be presented next week at the Waste Management '97 conference in Tucson. I have enclosed a copy of the paper for your information. We hope you find it interesting and provocative.

We hope to discuss this concept in more detail with NRC in the near future, particularly with regard to engaging in a study to evaluate the need and develop the regulatory basis for "drift mine" disposal of LLW and greater-than-Class C waste. We would be pleased to make a presentation to NRC staff on this subject. In the interim, please do not hesitate to call or write if you would like more information, or to schedule a time when Dr. Breeds, Bruce Goodale, and I can arrange to meet with you.

Sincerely,

*Paul J. Mayo* NFV8  
Paul J. Mayo, PE

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