

June 25, 2007

The Honorable Thomas R. Carper  
Chairman, Subcommittee on Clean Air  
and Nuclear Safety  
Committee on Environment and Public Works  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am pleased to provide a written statement pursuant to 31 U.S.C. 720 of the actions taken by NRC on the recommendations made by the U.S. Government Accountability Office (GAO) in its report entitled "Low-Level Radioactive Waste Management: Approaches Used by Foreign Countries May Provide Useful Lessons for Managing U.S. Radioactive Waste" (GAO-07-221). The report evaluates certain aspects of low-level radioactive waste (LLRW) management used in other countries and discusses the U.S. approaches for addressing similar issues. GAO has recommended that the NRC and the U.S. Department of Energy (DOE), within one year, prepare a joint report to Congress that evaluates the usefulness of adopting LLRW approaches used in other countries and the steps and any authorities necessary for their implementation, if deemed appropriate, and developing a U.S. radioactive waste management plan, and the potential costs, steps, and any authorities necessary to develop such a plan, if deemed appropriate.

NRC agrees that international approaches to LLRW management should continue to be evaluated for their potential use in the U.S. Both DOE and NRC are actively engaged in learning about waste management practices used in other countries, as well as sharing best practices from the U.S. This learning and exchange occurs through a number of formal and informal interactions and activities, such as participation in the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, involvement in International Atomic Energy Agency (IAEA) meetings and the development of IAEA safety standards and guides, and participation in the Nuclear Energy Agency Radioactive Waste Management Committee. Although the U.S. has been successful in safely disposing of its LLRW, challenges remain, such as the expected closure next year of the Barnwell, South Carolina, LLRW disposal facility to most of the country's LLRW generators. Many LLRW generators in the U.S. will be forced to store certain LLRW at that time. NRC's actions in response to this and other LLRW challenges will be informed by international practices.

Consistent with the GAO report's recommendations, NRC will evaluate and report to Congress on the usefulness of adopting LLRW approaches used in other countries and of developing a U.S. radioactive waste management plan. Also as recommended, NRC will coordinate the response with DOE. However, the Commission does not believe that a joint NRC-DOE report to Congress, as recommended in the GAO report, is necessary. In our view, it would be more effective for NRC to address the GAO recommendations as part of the agency's annual letter to Congress that addresses NRC's response to multiple GAO reports. We believe this approach meets the intent of GAO's recommendations, as GAO noted in the report that it was less concerned with the exact mechanism of reporting back to Congress than with ensuring that the evaluations prepared by NRC and DOE are comprehensive. In addition to providing information in the annual letter, the NRC staff is available to brief Congress on the status of NRC's LLRW program at any time, if requested.

If you have any questions or comments, do not hesitate to contact me.

Sincerely,

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Dale E. Klein

cc: Senator George V. Voinovich

Identical letter sent to:

The Honorable Thomas R. Carper  
Chairman, Subcommittee on Clean Air  
and Nuclear Safety  
Committee on Environment and Public Works  
United States Senate  
Washington, D.C. 20510  
cc: Senator George V. Voinovich

The Honorable Barbara Boxer  
Chairman, Committee on Environment  
and Public Works  
United States Senate  
Washington, D.C. 20510  
cc: Senator James M. Inhofe

The Honorable Rick Boucher  
Chairman, Subcommittee on Energy  
and Air Quality  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, D.C. 20515  
cc: Representative J. Dennis Hastert

The Honorable John D. Dingell  
Chairman, Committee on Energy and Commerce  
United States House of Representatives  
Washington, D.C. 20515  
cc: Representative Joe Barton

The Honorable Peter J. Visclosky  
Chairman, Subcommittee on Energy  
and Water Development  
Committee on Appropriations  
United States House of Representatives  
Washington, D.C. 20515  
cc: Representative David L. Hobson

The Honorable Byron Dorgan  
Chairman, Subcommittee on Energy  
and Water Development  
Committee on Appropriations  
United States Senate  
Washington, D.C. 20510  
cc: Senator Pete V. Domenici

The Honorable Joseph I. Lieberman  
Chairman, Committee on Homeland Security  
and Governmental Affairs  
United States Senate  
Washington, D.C. 20510  
cc: Senator Susan M. Collins

The Honorable Henry A. Waxman  
Chairman, Committee on Oversight  
and Government Reform  
United States House of Representatives  
Washington, D.C. 20515  
cc: Representative Tom Davis

The Honorable Nick Lampson  
Chairman, Subcommittee on Energy  
and Environment  
Committee on Science and Technology  
United States House of Representatives  
Washington, D.C. 20515  
cc: Representative Bob Inglis

The Honorable Jeff Bingaman  
Chairman, Committee on Energy  
and Natural Resources  
United States Senate  
Washington, D.C. 20510  
cc: Senator Pete V. Domenici

The Honorable David M. Walker  
Comptroller General of the United States  
United States Government Accountability Office  
441 G Street, NW  
Washington, D.C. 20548  
cc: Gene Aloise