



STATE OF UTAH

JON M. HUNTSMAN, JR.
GOVERNOR

OFFICE OF THE GOVERNOR
SALT LAKE CITY, UTAH
84114-2220

GARY R. HERBERT
LIEUTENANT GOVERNOR

March 13, 2008

Dale E. Klein, Chairman
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

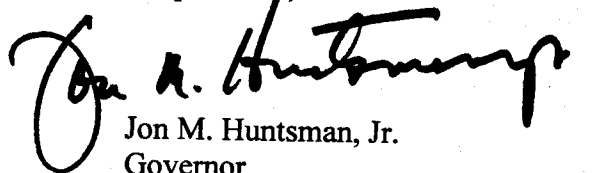
RE: Importation of Foreign Low-Level Radioactive Waste

Dear Chairman Klein:

As you are aware, the United States has a finite amount of space for disposal of radioactive material. I believe that whether to reserve that space for nuclear waste produced in the United States or to permit importation and disposal of the nuclear waste into these facilities by other countries is a policy issue that must be addressed at the federal level by the Nuclear Regulatory Commission. I urge such a policy decision be made in a timely manner.

Enclosed please find a letter from the Utah Radiation Control Board that articulates the views of a majority of Board members with respect to the proposed licenses. The Board is Utah's regulatory authority for activities involving radioactive material. Utah law authorizes the Board to advise other governmental agencies concerning its position with respect to matters such as the proposal to license importation of foreign low-level radioactive waste. The enclosed letter is submitted in conjunction with that authority.

Respectfully,



Jon M. Huntsman, Jr.
Governor



State of Utah

Department of
Environmental Quality

Richard W. Sprott
Executive Director

Division of Radiation Control
Dane L. Finerfrock
Director

Radiation Control Board
Kent J. Bradford, P.G., *Chair*
Stephen T. Nelson, Ph.D., *Vice-Chair*
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John W. Thomson, MD
Dane L. Finerfrock,
Executive Secretary

JON M. HUNTSMAN, JR.
Governor

GARY HERBERT
Lieutenant Governor

March 10, 2008

Dale E. Klein, Chairman
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Reference: Utah Radiation Control Board Position Statement on Importation
of Foreign Low-Level Radioactive Waste

Dear Chairman Klein:

The Nuclear Regulatory Commission (NRC) is currently considering license applications (IW023 and XW013) from EnergySolutions, LLC, for importation of foreign waste for disposal in the State of Utah. The purpose of this letter is to inform you that the Utah Radiation Control Board opposes these licenses and importation of foreign radioactive waste for the purpose of disposal, even if the materials do not represent any incremental risk to public health and safety.

As you may be aware, Utah Governor Jon M. Huntsman, Jr. signed an agreement with EnergySolutions to limit the capacity of their Clive facility to accept additional waste. The Federal Government needs to ensure the nation's capability to safely dispose of our own future low-level radioactive waste. The nation's capacity is finite.

We recognize that there are legitimate reasons why radioactive materials cross international borders. One country may have more skill than another in reducing the volume or contamination level of wastes. In these cases countries may agree that wastes can be processed by the country with the expertise and returned to the country of origin for disposal. We also recognize that under certain circumstances it may be beneficial for two or more countries to share a waste disposal site where all contribute to the financing and operation of the facility and when it is acceptable to the host community. None of these situations exist for the proposed importation of Italian waste.

We believe that any country that has the technological capability of producing nuclear power within its borders should not seek to dispose of its

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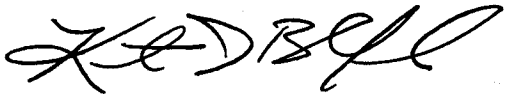
Dale E. Klein, Chairman
U.S. Nuclear Regulatory Commission (NRC)
March 10, 2008

waste outside them. Development of nuclear power should go hand in hand with the development of disposal options.

On February 1, 2008, the Utah Radiation Control Board heard from members of the public who are united in strong opposition to license applications leading to the importation and disposal of foreign nuclear waste. This is an issue of great concern to the citizens of Utah.

Therefore, we request that the Commission deny the importation licenses. Furthermore, the U.S. Nuclear Regulatory Commission and the United States Congress should work together to adopt a workable National Low Level Radioactive Waste plan. We must ensure that the nation provides and retains domestic capacity for our own radioactive waste.

Respectfully,

A handwritten signature in black ink, appearing to read 'K. Bradford', written in a cursive style.

Kent Bradford, Chair
Utah Radiation Control Board

cc: The Honorable Jon M. Huntsman, Jr.
The Honorable Bart Gordon
The Honorable Robert Bennett
The Honorable Orrin G. Hatch
The Honorable Rob Bishop
The Honorable Jim Matheson
The Honorable Chris Cannon
The Honorable Greg Curtis
The Honorable John Valentine
Mike Garner, Executive Director