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PROPOSED RULE **PR 72+150**
(65FR 3771a)

U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
M/S 0-16C1

ATTN: Annette L. Vietti-Cook, Secretary

Dear Ms. Vietti-Cook:

We offer the following comment regarding the proposed rule for "Interim Storage for Greater than Class C Waste", appearing in the *Federal Register*, Vol. 65, No. 117, Friday, June 16, 2000:

Technical Comments are being solicited as to what regulatory criteria should be applied to allow GTCC to be commingled with spent fuel. We do not have specific technical responses in this regard, however, we point out that it is likely that the incremental cost of additional canisters to separate spent fuel from GTCC is small relative to the total costs associated with developing and operating a spent fuel and GTCC facility. Furthermore, in our opinion, a substantial risk would be assumed by a licensee who combines GTCC with spent fuel given the absence of technical criteria governing what constitutes an acceptable disposal package for spent fuel or GTCC wastes. The commingling of GTCC with spent fuel could also raise avoidable technical issues when either moving the canisters or if re-licensing becomes necessary for spent fuel storage containers at the end of a 20-year license.

We therefore urge the NRC to reconsider the proposed ruling as we believe that it is not advisable to allow the combining of spent fuel and GTCC waste at this time.

Sincerely,

Clough Toppan

Director, Bureau of Health Engineering

Paula Craighead

State Nuclear Safety Advisor

Cc: E. William Brach, M/S 0-13-D-13

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