

April 16, 1997

MEMORANDUM TO: L. Joseph Callan  
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Acting Secretary /s/

SUBJECT: STAFF REQUIREMENTS - SECY-97-058 - U.S.  
DEPARTMENT OF ENERGY'S REVISED GENERAL  
GUIDELINES FOR THE RECOMMENDATION OF SITES  
FOR NUCLEAR WASTE REPOSITORIES (10 CFR PART  
960)

The Commission has approved the staff recommendation to provide DOE with a "no objection" finding provided that such a finding is legally sufficient to satisfy any requirements the Commission might have under Section 112(a) and (b) of the Nuclear Waste Policy Act of 1982, as amended. The staff should ensure that the NRC's "no objection" is not construed as concurrence on the revised guidelines. This is based on DOE's leaving the site comparison guidelines unchanged, with respect to sites other than Yucca Mountain, and on DOE's commitment to base its Yucca Mountain site suitability determination on NRC's disposal regulations, including future revisions, if necessary. The finding of "no objection" does not prejudice the appropriateness of the EPA standard which is referenced; until such time as the Commission has had the opportunity to review and comment on the EPA standard, it can make no judgment and express no view on the appropriateness of the standard.

The Commission has approved publishing a notice in the Federal Register noting receipt of DOE's revised guidelines, describing the Commission's proposed approach for review of the guidelines, and requesting public comment. The staff should analyze and make public a summary of the public comments.

(EDO)

(SECY Suspense: 9/5/97)

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SECY NOTE: THIS SRM, SECY-97-058, AND THE COMMISSION VOTING RECORD CONTAINING THE VOTE SHEETS OF ALL COMMISSIONERS WILL BE MADE PUBLICLY AVAILABLE 5 WORKING DAYS FROM THE DATE OF THIS SRM.

cc: Chairman Jackson  
Commissioner Rogers  
Commissioner Dicus  
Commissioner Diaz  
Commissioner McGaffigan  
OGC  
CIO  
CFO  
OCA  
OIG  
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)  
PDR  
DCS