

March 27, 1992

MEMORANDUM FOR: James M. Taylor
Executive Director for Operations

FROM: Samuel J. Chilk, Secretary

SUBJECT: SECY-91-415 - PROPOSED AMENDMENTS TO 10 CFR
PARTS 20 AND 61 ON LOW-LEVEL WASTE SHIPMENT
MANIFEST INFORMATION AND REPORTING

The Commission (with all Commissioners agreeing) has approved publication of the proposed amendments to 10 CFR Parts 20 and 61 in the Federal Register with the changes described below and on the attached pages. The staff should incorporate these changes and forward it for publication in the Federal Register.

1. The comment period should be 90 days.
2. The references to the Low Level Radioactive Waste Policy Amendments Act of 1985 (LLRWPA) requiring this action should be clarified. The Uniform Manifest set of forms includes information needed to control the import and export of wastes from Compacts and States. The LLRWPA does not require any specific NRC action or forms. The NRC is fostering the objectives of the law, assisting the Compacts and States as requested, and creating a means to capture additional information about LLW to aid the NRC in meeting programmatic and site-specific regulatory responsibilities.
3. The text should be modified, as needed, to remove implications that sites cannot be licensed without this new information. (See the second sentence under Existing Shipment Manifests on page 6.) The modifications should emphasize the lessons learned from past experience with the difficulty retrieving and reconstructing information about waste disposal and that it is prudent and less burdensome to request and store all reasonable data at the time of shipment and

SECY NOTE: THIS SRM, SECY-91-415, AND THE VOTE SHEETS OF THE CHAIRMAN, AND COMMISSIONERS CURTISS AND de PLANQUE WILL BE MADE PUBLICLY AVAILABLE 10 WORKING DAYS FROM THE DATE OF THIS SRM

disposal. The proposed rule would generate a data base for use now, for anticipated future use, and possibly for unanticipated uses without undue burden on any sector.

4. References to 10 CFR Part 62 (e.g., p. 11) are unnecessary and should be deleted.
5. The staff should review use of the terms "NRC" and "Commission" in the document. "NRC" should be used when referring to the staff or the agency rather than specifically to the Commission.

(EDO)

(SECY Suspense:

4/24/92)

The staff should carefully analyze the public comments, considering the public health and safety benefit and the possibility that the proposed rule may not lead to a uniform manifest agreed upon by all the States, before making recommendations on the final rule.

Attachment:
As stated

cc: The Chairman
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
Commissioner de Planque
OGC
OCAA
OIG