

May 28, 1991

MEMORANDUM FOR: James M. Taylor
Executive Director for Operations

FROM: Samuel J. Chilk, Secretary /S/

SUBJECT: SECY-91-115 - SCOPING STUDY FOR POTENTIAL
NEGOTIATED RULEMAKING FOR HIGH-LEVEL WASTE
STANDARDS

The Commission (with all Commissioners agreeing) has approved the designation of Mr. Bernero and Mr. Malsch as representatives of the NRC for interactions with EPA regarding the potential for a negotiated rulemaking to develop the EPA's high-level waste (HLW) standard. Prior to the June 7, 1991, meeting with the Conservation Foundation's "RESOLVE" group, the staff should submit to the Commission its preliminary views on the issues that it believes need to be resolved in the course of a negotiated rulemaking.

(EDO)

(SECY Suspense: 5/31/91)

After the June 7, 1991 meeting, the staff should provide the Commission with a report on the results of the meeting. Prior to formally entering into a consultative or negotiation process, the staff should advise the Commission of its proposed negotiating position with respect to the issues to be addressed in the context of the development of EPA's HLW standard. This should include the staff's proposed position on all matters raised in the comments on draft #2 of the standard, including -- (i) the stringency of the standard; and (ii) the probabilistic character of the standard and the implementation issues arising out of such an approach.

(EDO)

(SECY Suspense: TBD)

cc: Chairman Carr
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
OGC

SECY NOTE: THIS SRM, SECY-91-115, AND THE VOTE SHEETS OF
COMMISSIONERS ROGERS AND CURTISS WILL BE MADE
PUBLICLY AVAILABLE 10 WORKING DAYS FROM THE DATE

OF THIS SRM.