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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

December 1, 1988

MEMORANDUM FOR: Victor Stello, Jr.
Executive Director for Operations

FROM: Samuel J. Chilk, Secretary

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION /DISCUSSION
AND VOTE, 11:30 A.M., WEDNESDAY , NOVEMBER
23, 1988, COMMISSIONERS' CONFERENCE ROOM,
ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND
(OPEN TO PUBLIC ATTENDANCE)

I. SECY-88-298 Final Rule -- 10 CFR Part 62, "Criteria and
Procedures for Granting Emergency Access to Non-Federal and
Regional Low-Level Waste Disposal Facilities"

The Commission, by a 5-0 vote, approved a new Part 62 to Title
10 of the Code of Regulations which establishes criteria and
procedures to be used by the NRC in determining whether
emergency access should be granted to operating non-Federal
low-level radioactive disposal facilities under the Low-Level
Radioactive Waste Policy Amendments Act of 1985.

The FRN should be forwarded for signature and publication.
(EDO) (SECY Suspense: 12/5/88)

The staff should inform the Commission when a written agreement
is reached with the Department of Defense (DOD) and the
Department of Energy (DOE) that the appropriate agency will
issue a statement of support if the request for emergency
access is made on the basis of a threat posed to the common
defense and security.

The Senate Committee on Energy and Natural Resources and the
Senate Committee on the Judiciary also should be informed of
this action since they participated in the development of the
Low-Level Waste Act.

cc: Chairman Zech
Commissioner Roberts

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Commissioner Carr
Commissioner Rogers
Commissioner Curtiss
OGC
GPA
PDR - Advance
DCS - P1-124