



OFFICE OF THE
SECRETARY

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

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March 10, 1989

MEMORANDUM FOR: Chairman Zech
Commissioner Roberts
Commissioner Carr
Commissioner Rogers
Commissioner Curtiss

FROM: Samuel J. Chilk, Secretary

SUBJECT: ADDITIONAL LSS ADVISORY COMMITTEE
MEMBER RESPONSE TO QUESTIONS
FROM COMMISSIONER CURTISS

Attached is the response of Dennis A. Bechtel, Representative of the Nevada Coalition of Local Governments, to Commissioner Curtiss' questions about the final rule proposed in SECY-89-27 - Final Rulemaking on the Licensing Support System for the High Level Waste Licensing Proceeding.

It is our understanding that Mr. Bellman's composite reply will be sent to NRC by messenger today. His response and the industry's response will be forwarded to the Commission when received.

Attachment:
D. Bechtel Letter of 3/9/89

cc: OGC

APPROVED
1989 MAR 10 PM 3:08



Department of
Comprehensive Planning

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March 9, 1989

Mr. Samuel J. Chilk, Secretary
Nuclear Regulatory Commission
Washington, D.C. 20555

REQUEST FOR ADVISORY COMMITTEE RESPONSE TO QUESTIONS
FROM COMMISSIONER CURTISS CONCERNING THE PROPOSED
LICENSING SUPPORT SYSTEM (LSS) RULE

Dear Secretary Chilk:

This is a response by the Coalition of Nevada Local Governments that participated on the Negotiating Committee to your memo to Howard Bellman requesting answers to a series of questions posed by Commissioner Curtiss concerning the proposed Licensing Support System (LSS) Rule. The Coalition of Nevada Local Governments is comprised of Clark, Lincoln and Nye counties in Nevada, all designated as "affected local governments" by the Department of Energy (DOE). Affected local government status is a recognition by DOE that these communities may experience considerable impacts from a proposed repository. Our response is a consensus of the group. Commissioner Curtiss, as you noted in your memo, is seeking clarification of a number of issues.

First, the Nevada Coalition of Local Governments wishes to reiterate our testimony provided at the Commission hearing that the negotiating process employed to develop the proposed Rule was extremely productive. The fact that the final proposed Rule was able to achieve near consensus despite the disparate views and interests of all members is indeed remarkable and is a testament to the understanding by all parties of the importance of developing a system to facilitate licensing. The LSS appears to offer that support.

The proposed rule, as you are aware, is the culmination of many months of effort by all the members of the LSS Committee. The result of the negotiation process is the proposed Rule. The Coalition of Nevada Local Governments, therefore, feels that the proposed Rule stands for itself.

COMMISSIONERS

Bruce L. Woodbury, Chairman * Paul J. Christensen, Vice-Chairman
Jay Bingham, Manuel J. Cortez, Thale M. Dondoro, Karen Heyes, William L. Pearson
Donald L. "Pat" Eshmy, County Manager

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To answer the questions as individual parties obviously creates the risk of interjecting personal interpretation to the Rule and thereby provides the potential for eliminating the consensus so carefully developed. Thus the Coalition of Nevada Local Governments feels that the language of the Rule and supplemental information available describing the development of the Rule should stand as submitted to NRC.

In addition to the questions, you have also provided "strawman answers" to address Commissioner Curtiss' concerns. We have reviewed the "strawman answers" and don't find any problems with the responses and, therefore, concur with the answers.

Sincerely,



DENNIS A. BECHTEL
COORDINATOR (REPRESENTATIVE OF THE
NEVADA COALITION OF LOCAL GOVERNMENTS)

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