

September 27, 2001

Kevin D. Crowley, Director
Board on Radioactive Waste Management
National Research Council
2101 Constitution Avenue, NW
Washington, DC 20418

SUBJECT: WASTE CONFIDENCE DECISION

The following are the five findings that comprise the NRC'S Waste Confidence Decision:

The Commission's First Finding

The Commission finds reasonable assurance that safe disposal of high-level radioactive waste and spent fuel in a mined geologic repository is technically feasible.

The Commission's Second Finding

The Commission finds reasonable assurance that at least one mined geologic repository will be available within the first quarter of the twenty-first century, and that sufficient repository capacity will be available within 30 years beyond the licensed life for operation (which may include the term of a revised or renewed license) of any reactor to dispose of the commercial high-level radioactive waste and spent fuel originating in such reactor and generated up to that time.

The Commission's Third Finding

The Commission finds reasonable assurance that high-level radioactive waste and spent fuel will be managed in a safe manner until sufficient repository capacity is available to assure the safe disposal of all high-level waste and spent fuel.

The Commission's Fourth Finding

The Commission finds reasonable assurance that, if necessary, spent fuel generated in any reactor can be stored safely and without significant environmental impacts for at least 30 years beyond the licensed life for operation (which may include the term of a revised or renewed license) of that reactor at its spent fuel storage basin, or at either onsite or offsite independent spent fuel storage installations.

The Commission's Fifth Finding

The Commission finds reasonable assurance that safe independent onsite or offsite spent fuel storage will be made available if such storage capacity is needed.

Following are the citations to the Federal Register where the full decisions were published:

1. 48 FR 22730 (May 20, 1983) Proposed first Waste Confidence Decision.
2. 49 FR 34658 (August 31, 1984) Final first Waste Confidence Decision.
3. 54 FR 39767 (September 28, 1989) Proposed Second Waste Confidence Decision.
4. 55 FR 38484 (September 18, 1990) Final Second Waste Confidence Decision.

Sincerely

Original signed by ENJ for

Stuart A. Treby, Assistant General Counsel
for Rulemaking and Fuel Cycle
Office of General Counsel

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