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

FEB 28 1990

MEMORANDUM FOR: Robert E. Browning, Director  
Division of High Level Waste Management, NMSS

FROM: Warren Minners, Director  
Division of Safety Issue Resolution, RES

SUBJECT: WASTE CONFIDENCE DECISION - RESPONSE TO COMMENTS

We have reviewed the Department of Energy (DOE) comment on the Waste Confidence Decision Review (54 FR 39767-39797) which addresses license renewal, page 1 of the enclosure to the DOE letter dated December 27, 1989. We suggest the following response.

"DOE observed that renewal of operating licenses would increase the total amount of spent fuel requiring disposal or interim storage which would be taken into account in DOE program planning and should be considered in NRC's National Environmental Policy Act (NEPA) documentations for license renewal. This is generally consistent with findings in 54 FR 39767-39797, especially page 39795. It was found that the greater amount of spent fuel which must be stored as a result of license renewal does not affect the Commission's findings of a lack of environmental impacts overall. In addition, each relicensing action would be subject to a NEPA review covering storage of spent fuel during the period of the renewal license."

If you have any questions regarding this suggested response, please contact Donald Cleary at extension 23936.

*T.L. King*

Warren Minners, Director  
Division of Safety Issue Resolution, RES

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