Central File

MAR 2 1 1992

Mr. Russell Jim, Manager
Environmental Restoration/Waste
Management Program
Yakima Indian Nation
P.O. Box 151
Toppenish, Washington 98948

Dear Mr. Jim:

This letter is to acknowledge receipt of your Petition dated July 9, 1991. We apologize for the delay in acknowledging your Petition, which resulted from an initial failure to recognize that your letter was a separate petition and not support for the May 28, 1991 letter and subsequent July 25, 1991 petition filed by F. Robert Cook. Mr. Cook's request concerned only high-level radioactive waste (spent fuel) from NRC-licensed reactors, whereas your Petition is concerned with all high-level radioactive wastes in "... various near surface geological repositories ..." at Hanford. In your Petition you request the Director of the Office of Nuclear Material Safety and Safeguards to exercise his authority to require a license application from the Department of Energy (DOE) with respect to high-level radioactive wastes in sites at Hanford and to expedite regulation in accordance with provisions of 10 CFR Part 30 "or other applicable chapters of the CFR."

You assert as the basis for this request your conclusion that the DOE is currently in violation of 10 CFR Part 30 requirements for a license since "various near surface geologic repositories, referred to as cribs, ditches, trenches and single shell tanks," meeting the 10 CFR Part 60 definition of "geologic repository," have received and currently hold in "long-term storage" or "disposal," "high-level radioactive waste."

Your Petition has been referred to the staff for action pursuant to 10 CFR 2.206 of the Commission's regulations. As provided by section 2.206, appropriate action will be taken on your request within a reasonable time. I have enclosed for your information a copy of the notice that is being filed with the Office of the Federal Register for publication.

Sincerely,
(Signed) Robert M. Bernero

Robert M. Bernero, Director
Office of Nuclear Material Safety
and Safeguards

Enclosure: As stated
*See previous concurrence

OFC	:HLPD	:HLPD*	:OGC*	:LLWM*	:HLWM*	:HLWM*
NAME	:PAltomare	:JHolonich	:JMcGurren	:JAustin:	:JLinehan	:BJYoungblood
Date	:03/11/92	:03/10/92	:02/27/92	:03/04/92	:03/10/92	:03/10/92

OFC	:OSP*	:HLWM	:HLWM	:	:	
NAME	:CKammerer	:GArlotto	:RBernero	:	:	
Date	:03/04/92	:03/17/92	:03/21/92	:	:	

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U.S. NUCLEAR REGULATORY COMMISSION

RECEIPT OF PETITION FOR DIRECTOR'S DECISION

UNDER 10 C.F.R. § 2.206

Notice is hereby given that by Petition dated July 9, 1991, the Confederated Tribes and Bands of the Yakima Indian Nation request that the Director of the Office of Nuclear Material Safety and Safeguards exercise his authority to require submittal of a license application from the Department of Energy (DOE) with respect to high-level radioactive wastes on the Hanford site in the State of Washington and to expedite regulation in accordance with provisions of 10 CFR Part 30 "or other applicable chapters of the CFR." The Petitioner asserts as grounds for this request its conclusion that the DOE is currently in violation of 10 CFR Part 30 requirements for a license since "various near surface geologic repositories, referred to as cribs, ditches, trenches and single shell tanks," meeting the 10 CFR Part 60 definition of "geologic repository," have received and currently hold in "long-term storage" or "disposal," "high-level radioactive waste." The request is being treated pursuant to 10 C.F.R. § 2.206 of the Commission's regulations. As provided by section 2.206, appropriate action will be taken on this request within a

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reasonable time. A copy of the Petition is available for inspection in the Commission's Public Document Room, 2120 L Street, N.W., Washington, DC 20555. Dated at Rockville, Maryland this 21st day of March 1992.

FOR THE NUCLEAR REGULATORY COMMISSION

Robert M. Bernero, Director
Office of Nuclear Material Safety
and Safeguards