



PROPOSED RULE PK-2 (23)
 The State of Wisconsin (57 FR 45338)
 Department of Justice

DOCKETED
 USNRC

April 15, 1987

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OFFICE OF SECRETARY
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Mr. Samuel Chilk, Secretary
 United States Nuclear
 Regulatory Commission
 Washington, D. C. 20555

Re: Negotiated Rulemaking on High-Level
 Radioactive Waste Disposal, 51 Fed. Reg. 45338

Dear Mr. Chilk:

Enclosed please find the State of Wisconsin's Notice of Intent to Participate in the above-referenced proceeding. We are filing this notice in view of the Department of Energy's latest statements which indicate it will revive the second-round siting process. DOE has identified two sites in Wisconsin which it may consider for a second repository.

According to the Notice of Intent, NRC invited submission of comments and statements of interest by February 17, 1987. We have recently learned that NRC may seek to limit the negotiated rulemaking to those who submitted comments. We observe, however, that DOE's changing position on the status of the second-round siting process post-dates that submittal date, and that Wisconsin has a substantial interest in this proceeding.

Thank you for your attention to this matter.

Sincerely,

Carl A. Sinderbrand
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 Assistant Attorney General
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CAS:mje

Enclosure

cc: Howard S. Bellman

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APR 27 1987
 Acknowledged by [unclear]

UNITED STATES
NUCLEAR REGULATORY COMMISSION

In the Matter of the
Proposed Negotiated Rulemaking
on the Submission and Manage-
ment of Records and Documents
Related to the Licensing of
a Geologic Repository for the
Disposal of High-Level
Radioactive Waste (10 CFR part 2)

(51 Fed. Reg. 45338)

STATE OF WISCONSIN'S
NOTICE OF INTENT TO PARTICIPATE

The State of Wisconsin hereby notifies the United States Nuclear Regulatory Commission of its interest and intent to participate in the above-referenced negotiated rulemaking, which was initially identified in 51 Fed. Reg. 45338 (December 18, 1986). In support of this notice, the State of Wisconsin shows the following:

1. The State of Wisconsin has been identified as having within its borders sites which may be selected for a second repository under the Nuclear Waste Policy Act of 1982 (NWPAct), 42 U.S.C. § 10101 et seq.

2. On May 28, 1986, the United States Department of Energy (DOE) indefinitely postponed site-specific work on a second repository, including the identified sites in Wisconsin.

3. Subsequent to the date for submitting comments on the proposed rulemaking herein, DOE has indicated that it will revive the second round siting process during 1987 unless Congress amends federal law.

4. In addition to having sites which will likely be considered for a second repository, the State of Wisconsin has an interest in licensing of geologic repositories for radioactive waste disposal because: (a) it is a primary highway and rail transportation corridor state; and (b) it has four commercial nuclear power reactors operating within its borders.

Dated this 15th day of April, 1987.

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