



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

See Pocket for all the tabs  
WM- 10  
PDR  
(Return to WM, 623-SS)

NOV 15 1982

WMPI: WM-10 (101.3) + (101.4)

MEMORANDUM FOR: See Attached Distribution

FROM: Joseph O. Bunting, Jr., Chief  
Licensing Process and Integration Branch  
Division of Waste Management, NMSS

SUBJECT: LETTERS REGARDING TRANSMITTAL OF SCR

We are enclosing a copy of the letter we sent to Governor Spellman of Washington State forwarding the Site Characterization Report (SCR) and notifying him of NRC's role in the site characterization process (Enclosure 1). Similar letters were sent to State, local, and tribal officials, as indicated in Enclosure 2. If you need a copy of any of these other letters, please let me know.

Joseph O. Bunting, Jr., Chief  
Licensing Process and  
Integration Branch  
Division of Waste Management, NMSS

Enclosures:

- (1) Letter to Gov. Spellman
- (2) List of addressees

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NOV 15 1982

WMPI: 409-53  
wm-10 (101.3)

MEMORANDUM FOR: See Attached Distribution

FROM: Joseph O. Bunting, Jr., Chief  
Licensing Process and Integration Branch  
Division of Waste Management, NMSS

SUBJECT: LETTERS REGARDING TRANSMITTAL OF SCR

We are enclosing a copy of the letter we sent to Governor Spellman of Washington State forwarding the Site Characterization Report (SCR) and notifying him of NRC's role in the site characterization process (Enclosure 1). Similar letters were sent to State, local, and tribal officials, as indicated in Enclosure 2. If you need a copy of any of these other letters, please let me know.

*for John J. Sumner*

Joseph O. Bunting, Jr., Chief  
Licensing Process and  
Integration Branch  
Division of Waste Management, NMSS

Enclosures:

- (1) Letter to Gov. Spellman
- (2) List of addressees

Distribution: See attached

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NAME	: JBunting:lw	:	:	:	:	:	:
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*Supp H-21  
orig. memo to DGE*

NOV 15 1982

The Honorable John Spellman  
 Governor of Washington  
 Legislative Building  
 Olympia, WA 98504

Dear Governor Spellman:

The U.S. Department of Energy (DOE) has submitted to the U.S. Nuclear Regulatory Commission (NRC) a Site Characterization Report (SCR) for a candidate high-level waste repository on the Hanford Reservation near Richland. Under our repository licensing rule, codified as Chapter 10, Part 60 of the Code of Federal Regulations (10 CFR 60), submittal of the SCR constitutes formal notification to NRC that DOE is considering a site as a candidate for which it may apply to NRC for authorization to construct a repository. NRC is notifying the public and certain State, local and tribal officials that the SCR has been received and NRC staff has begun to review it. A copy of the SCR is enclosed. We have submitted to the Federal Register a notice to the public that we have received the SCR, and a copy of this notice as submitted is also enclosed. We are awaiting its publication, and will be sending a copy as it appears in the Federal Register as soon as it is published.

In addition to the SCR itself, we have enclosed for your reference a copy of the procedural portion of the 10 CFR 60 repository licensing rule. You will note that while site characterization is an important step toward the selection of the first site for licensing, DOE's activities at Hanford will not necessarily result in either DOE's selection or NRC's licensing of that site. NRC's 10 CFR 60 procedural rule requires DOE to characterize at least three sites for possible licensing, and DOE has indicated that it also has ongoing studies of sites for possible characterization in Louisiana, Mississippi, Nevada, Texas, and Utah.

The 10 CFR 60 procedures also contain provisions for participation by the potential host and adjacent States and other potentially affected States and Indian tribes in certain aspects of our licensing reviews. These procedures require the NRC to make its staff available to keep the State informed of our views on the progress of site characterization and assist the State in developing any proposal to participate. The purpose of this letter is to bring these matters to your attention.

On November 15, NRC responded to a request by the Washington State High-Level Nuclear Waste Management Task Force by providing a briefing on

\*See Previous page for concurrences.

OFC	:WMPPI*	:WMPPI	:WMHT*	:OSP/ELD	:WM	:NMSS	:NMSS
NAME	:RDMac/JJSur	:JOBunting	:HMiller	:Young/Dorian	JMartin	:DMAusshardt	:JDavis
DATE	:82/11/12	:82/11/	:82/11/09	:82/11/10	:82/11/	:82/11/	:82/11/

NRC's high-level waste program activities. We understand that this Task Force, established by executive order, includes State legislative representatives appointed by the legislative leadership and was created to represent the State in coordinating with all Federal agencies on high-level radioactive waste activities.

We hope that the attached material on NRC's review process will be helpful. For your information, a similar letter is being sent to the presiding officers and minority leaders of both houses of the legislature, and the Chairman of the State High-Level Nuclear Waste Management Task Force. So that you know how we plan to work with the States adjacent to Washington, we have also included copies of our letters to Governor Atiyeh and Governor Evans. We look forward to a mutually productive relationship with the State of Washington.

Sincerely,

(Signed) John G. Davis  
John G. Davis, Director  
Office of Nuclear Material  
Safety and Safeguards

Enclosures:

1. Site Characterization Report (SCR)
2. Notice of Receipt of SCR as submitted to Federal Register
3. Procedural Portion of 10 CFR 60 Rule
4. Letter to Governor Atiyeh
5. Letter to Governor Evans

\*See Previous page for concurrences.

*Per telecon*

OFC	: WMPI*	: WMPI <i>B</i>	: WMHT*	: OSP/ELD	: WM*	: NMSS	: NMSS
NAME	: RDMac/JJSur	: JOBunting	: HMiller	: Young/Dorian	: JMartin	: DMAusshardt	: J... <i>J...</i>
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LIST OF ADDRESSES

Mr. Nicholas Lewis  
Energy Facility Site  
Evaluation Council  
Mail Stop PY 11  
Olympia, WA 98504

The Honorable Bill Sebero  
Chairman, Board of Commissioners  
of Benton County  
Benton County Courthouse  
P.O. Box 470  
Prosser, WA 99350

The Honorable John Evans  
Governor of Idaho  
State Capitol  
Boise, ID 83720

The Honorable Victor Atiyeh  
Governor of Oregon  
State Capitol  
Salem, OR 97310

The Honorable John Spellman  
Governor of Washington  
Legislative Building  
Olympia, WA 98504

Mr. Wilfred Scott  
Tribal Chairman  
Nez Perce Tribal Executive Committee  
P.O. Box 305  
Lapwai, ID 83540

Mr. Elwood Tatawa  
Tribal Chairman  
Confederated Tribe of Umatilla  
P.O. Box 638  
Pendleton, OR 97801

Mr. Delbert Frank  
Tribal Chairman  
Confederated Tribes of the  
Warm Springs Reservation  
Warm Springs, OR 97761

Mr. Johnson Meninick  
Tribal Chairman  
Yakima Indian Nation  
P.O. Box 151  
Toppenish, WA 98948

Mr. Al Aubertin  
Tribal Chairman  
Colville Business Council  
P.O. Box 150  
Nespelem, WA 99155

Mr. John Samuels  
Tribal Chairman  
Spokane Business Council  
P.O. Box 385  
Wellpinet, WA 99040

The Honorable Wayne Ehlers  
Washington House of Representatives  
House Minority Leader  
Legislative Building  
Olympia, WA 98504

The Honorable William Polk  
Washington House of Representatives  
Speaker of the House  
Legislative Building  
Olympia, WA 98504

The Honorable Sam Guess  
Washington Senate  
Senate President Pro Tem  
Legislative Building  
Olympia, WA 98504

The Honorable Ted Bottiger  
Washington Senate  
Senate Minority Leader  
Legislative Building  
Olympia, WA 98504

NOV 15 1982

Mr. John W. Samuels  
Tribal Chairman  
Spokane Business Council  
P.O. Box 385  
Wellpinet, WA 99040

Dear Mr. Samuels:

The U.S. Department of Energy (DOE) is considering a site on the Hanford Reservation near Richland as a candidate site for a repository to dispose of high-level radioactive wastes. DOE will have to receive U.S. Nuclear Regulatory Commission (NRC) authorization to construct the repository, but before DOE submits an application for any site, it must conduct a program of site characterization at several sites to gather information needed for NRC licensing decisions on the ability of these sites to isolate wastes. As its formal notification that its site characterization program at Hanford is about to begin, DOE has submitted to NRC a Site Characterization Report (SCR) for the Hanford site, which DOE is calling the Basalt Waste Isolation Project (BWIP). The Report contains a description of DOE plans and activities to characterize the ability of the site to isolate high-level wastes, and NRC will be reviewing this document over the next several months.

Under our repository licensing rule, which is codified as Chapter 10, Part 60 of the Code of Federal Regulations (10 CFR 60), NRC is notifying the public and certain State, local and Indian tribal officials that the SCR has been received and NRC staff has begun to review it. A copy of the SCR is enclosed. We have submitted to the Federal Register a notice to the public that we have received the SCR, and a copy of this notice as submitted is also enclosed. We are awaiting its publication, and will also be sending a copy as it appears in the Federal Register as soon as it is published.

The purpose of this letter to you is to bring these matters to your attention and offer you the opportunity to meet with NRC staff to have us explain our review process and respond to any questions you may have about your tribe's possible role in it.

The 10 CFR 60 procedures contain provisions for participation by potentially affected Indian tribes and States in certain aspects of our review. These procedures require the NRC to make its staff available to assist such potentially affected tribes at their request to keep them

\*See Previous page for concurrences.

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NOV 15 1982

informed of our views of the progress of site characterization and assist them upon request in developing any proposal to participate.

From the materials enclosed for your reference, you will note that while site characterization is an important step toward the selection of the first site for licensing, DOE's activities at Hanford will not necessarily result in either DOE's selection or NRC's licensing of that site. NRC's high-level waste procedural rule requires DOE to characterize at least three sites for possible licensing, and DOE has indicated that it also has ongoing studies of sites for possible characterization in Louisiana, Mississippi, Nevada, Texas, and Utah.

In conducting our reviews of DOE activities at the Hanford site, we will be working with Washington State government officials, and may be working with State officials designated by the Governors of the adjacent States of Idaho and Oregon. We may also be working with other tribal officials, as noted below.

In Washington State, Governor Spellman has established by executive order a State High-Level Nuclear Waste Management Task Force to be responsible for coordination with NRC and other involved Federal agencies. At the request of the Task Force, NRC has provided a briefing in Olympia on its high-level waste program activities, and we would be pleased to provide a similar briefing to you should you request it. We would also be pleased to meet with you and any other representatives of your tribe for further discussions if the tribe is interested in working with us during our reviews.

For your information, we are sending letters to the Tribal Chairmen of the Colville, Nez Perce, Spokane, Umatilla, Warm Springs, and Yakima Tribes. From our initial investigations and consultations with other agencies, we have identified these as the tribes nearest the site proposed for characterization and which may be interested in our review activities.

\*See Previous page for concurrences.

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NOV 15 1982

We hope that the attached material on NRC's review process will be helpful. We look forward to hearing from you soon.

Sincerely,

(Signed) John G. Davis  
John G. Davis, Director  
Office of Nuclear Material  
Safety and Safeguards

Enclosures:

- 1. Site Characterization Report (SCR)
- 2. Notice of Receipt of SCR as submitted to  
Federal Register
- 3. Procedural Portion of 10 CFR 60 Rule

\*See Previous page for concurrences.

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SCR NON-YAKIMA MCD/1

We hope that the attached material on NRC's review process and our correspondence with other Tribes and States will be helpful. We look forward to hearing from you soon.

Sincerely,

John G. Davis, Director  
Office of Nuclear Material  
Safety and Safeguards

Enclosures:

1. Site Characterization Report (SCR)
2. Notice of Receipt of SCR as submitted to Federal Register
3. Descriptive Summary of SCR Review Process
4. Procedural Portion of 10 CFR 60 Rule

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JDavis  
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*no legal objections  
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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

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Tribal Chairman  
Spokane Business Council  
P.O. Box 385  
Wellpinet, WA 99040

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The purpose of this letter to you is to bring these matters to your attention and offer you the opportunity to meet with NRC staff to have us explain our review process and respond to any questions you may have about your tribe's possible role in it.

The 10 CFR 60 procedures contain provisions for participation by potentially affected Indian tribes and States in certain aspects of our review. These procedures require the NRC to make its staff available to assist such potentially affected tribes at their request to keep them

NOV 15 1982

informed of our views of the progress of site characterization and assist them upon request in developing any proposal to participate.

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In conducting our reviews of DOE activities at the Hanford site, we will be working with Washington State government officials, and may be working with State officials designated by the Governors of the adjacent States of Idaho and Oregon. We may also be working with other tribal officials, as noted below.

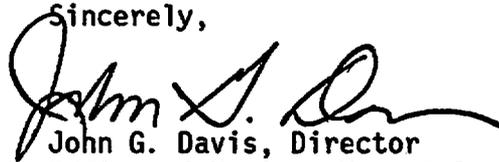
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For your information, we are sending letters to the Tribal Chairmen of the Colville, Nez Perce, Spokane, Umatilla, Warm Springs, and Yakima Tribes. From our initial investigations and consultations with other agencies, we have identified these as the tribes nearest the site proposed for characterization and which may be interested in our review activities.

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Sincerely,



John G. Davis, Director  
Office of Nuclear Material  
Safety and Safeguards

Enclosures:

1. Site Characterization Report (SCR)
2. Notice of Receipt of SCR as submitted to  
Federal Register
3. Procedural Portion of 10 CFR 60 Rule

NOV 15 1982

Mr. Johnson Meninick  
Tribal Chairman  
Yakima Indian Nation  
P.O. Box 151  
Toppenish, WA 98948

Dear Mr. Meninick:

The U.S. Department of Energy (DOE) is considering a site on the Hanford Reservation near Richland as a candidate site for a repository to dispose of high-level radioactive wastes. DOE will have to receive authorization from the U.S. Nuclear Regulatory Commission (NRC) to construct the repository, but before DOE submits an application for any site, it must conduct a program of site characterization at several sites to gather information needed for NRC licensing decisions on the ability of these sites to isolate wastes. As its formal notification that its site characterization program at Hanford is about to begin, DOE has submitted to NRC a Site Characterization Report (SCR) for the Hanford site, which DOE is calling the Basalt Waste Isolation Project (BWIP). The Report contains a description of DOE's plans and activities to characterize the ability of the site to isolate high-level wastes, and NRC staff will be reviewing it over the next several months.

Under our repository licensing rule, which is codified as Chapter 10, Part 60 of the Code of Federal Regulations (10 CFR 60), NRC is notifying the public and certain State, local and Indian tribal officials that the SCR has been received and NRC staff has begun to review it. A copy of the SCR is enclosed. We have submitted to the Federal Register a notice to the public that we have received the SCR, and a copy of this notice is also enclosed. We are awaiting its publication, and will also be sending a copy as it appears in the Federal Register as soon as it is published.

The 10 CFR 60 procedures contain provisions for participation by the potentially affected Indian tribes and States in certain aspects of our review. These procedures require the NRC to make its staff available to assist such tribes at their request to keep them informed of our views of the progress of site characterization and assist them upon request in developing any proposal to participate.

\*See Previous page for concurrences.

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OFC	:WMPI*	:WMPI*	:WMHT*	:OSP/ELD*	:WM*	:NMSS*	:NMSS
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DATE	:82/11/15	:82/11/12	:82/11/09	:82/11/10	:82/11/09	:82/11/12	:82/11/

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NOV 15 1982

The purpose of this letter is to bring these matters to your attention and offer you the opportunity to meet with NRC staff to have us explain our review process and respond to any questions you may have about the Yakima Tribe's possible role in it. We understand that the Yakima reservation is geographically the closest of all tribal reservations to the Hanford site. We are also aware that the Yakima Tribe has expressed concerns about the possible use of the site for a repository, both to NRC (in letters dated January 6 and 8, 1982) and to the Washington State Senate on October 20, 1982. We believe your Tribe is entitled to consultation in our reviews under Subpart C of 10 CFR 60, which sets forth the provisions for State and Tribal participation. A copy of the entire procedural portion of the 10 CFR 60 rule is enclosed.

From the 10 CFR 60 procedural rule and our notice of receipt of the SCR, you will note that while site characterization is an important step toward the selection of the first site for licensing, DOE's activities at Hanford will not necessarily result in either DOE's selection or NRC's licensing of that site. NRC's high-level waste procedural rule requires DOE to characterize at least three sites for possible licensing, and DOE has indicated that it also has ongoing studies of sites for possible characterization in Louisiana, Mississippi, Nevada, Texas, and Utah.

In conducting our reviews of DOE activities at the Hanford site, we will be working with Washington State government officials, and may be working with other officials designated by the Governors of the adjacent States of Idaho and Oregon. In Washington State, Governor Spellman has established by executive order a State High-Level Nuclear Waste Management Task Force to be responsible for coordination with NRC and other involved Federal agencies. At the request of the Task Force, NRC provided a briefing on its high-level waste program activities, and we would be pleased to provide a similar briefing to you should you request it. We would also be pleased to meet with you and any other Yakima Tribal representatives for further discussions of the Yakimas' interest in working with us during our reviews.

\*See Previous page for concurrences.

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Sincerely,

(Signed) John G. Davis  
John G. Davis, Director  
Office of Nuclear Material  
Safety and Safeguards

Enclosures:

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- 2. Notice of Receipt of SCR as sent to Federal Register
- 3. Procedural Portion of 10 CFR 60 Rule

\*See Previous page for concurrences.

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MENINICK

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Sincerely,

John G. Davis, Director  
Office of Nuclear Material  
Safety and Safeguards

Enclosures:

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*Per telecon*

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DATE	:82/11/10	:82/11/10 ✓	:82/11/09	:82/11/10	:82/11/9	:82/11/10 ✓	:82/11/10

Dear Chairman Meninick,

The U.S. Department of Energy (DOE) is considering a site on the Hanford Reservation near Richland as a candidate site for a repository to dispose of high-level radioactive wastes. DOE will have to receive NRC authorization to construct the repository, but before DOE submits an application for any site, it must conduct a program of site characterization at several sites to gather information needed for NRC licensing decisions on the ability of these sites to isolate wastes. As its formal notification that the site characterization program at Hanford is about to begin, DOE has submitted to NRC a Site Characterization Report (SCR) for the Hanford site, which DOE is calling the Basalt Waste Isolation Project (BWIP). The Report contains a description of DOE plans and activities to characterize the ability of the site to isolate high-level wastes, and NRC staff will be reviewing it over the next several months.

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The purpose of this letter to you is to bring these matters to your attention and offer you the opportunity to meet with NRC staff to have us explain our review process and respond to any questions you may have about your Tribe's possible role in it. Since the Yakima reservation is geographically the closest of all Tribal reservations to the Hanford site, and the Yakima Tribe has expressed concerns both to NRC (in letters dated January 6th and 8th, 1982) and on October 20, 1982, to the Washington State Senate, we believe your Tribe is entitled to

*no legal objections  
Berman per telecom  
for Director of Young*

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NAME	:RMacDougall	:JJSurmeier	:JOBunting	:JMiller	:WJolmstead	:GWKerr	:JBMartin
DATE	:82/11/08	:	: 11/9	: 11/9/82	: 11/10/82	:	: 11/9/82

consultation in our reviews under Subpart C of 10 CFR 60, which sets forth the provisions for State and Tribal participation. A copy of the entire procedural portion of the 10 CFR 60 rule is enclosed.

In addition to the 10 CFR 60 procedural rule and the SCR itself, we have enclosed for your reference a brief description of our site characterization review process. You will note that while site characterization is an important step toward the selection of the first site for licensing, DOE's activities at Hanford will not necessarily result in either DOE's selection or NRC's licensing of that site. NRC's high-level waste procedural rule requires DOE to characterize at least three sites for possible licensing, and DOE has indicated that it also has ongoing studies of sites for possible characterization in Louisiana, Mississippi, Nevada, Texas, and Utah.

In conducting our reviews of DOE activities at the Hanford site, we will be working with Washington State government officials, and may be working with other officials designated by the Governors of the adjacent States of Idaho and Oregon. In Washington State, Governor Spellman has established by executive order a State High-Level Nuclear Waste Management Task Force to be responsible for coordination with NRC and other involved Federal agencies. At the request of the Task Force, NRC provided a briefing on its high-level waste program activities, and we would be pleased to provide a similar briefing to you should you request it. We would also be pleased to meet with you and any other Tribal representatives for further discussions of the Tribe's interest in working with us during our reviews.

We hope that the attached material on NRC's review process and our correspondence with other States will be helpful. We look forward to a mutually productive relationship.

John G. Davis, Director  
Office of Nuclear Material  
Safety and Safeguards

cc: Councilman Russell Jim

OFC	:WMP	:WMP	:WMP	:WMHT	:OELD	:OSP	:WM
NAME	:RMacDougall	:JJSurmeier	:JOBunting	:HJMiller	:WJ01mstead	:GWKerr	:JBMartin
DATE	:82/11/08	:	:	:	:	:	:

409.53/RDM/82/11/5/YAKIMA

- 3 -

Enclosures:

1. Site Characterization Report (SCR)
2. Notice of Receipt of SCR as sent to Federal Register
3. Descriptive Summary of SCR Review Process
4. Procedural Portion of 10 CFR 60 Rule

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OFC	:WMP	:WMP	:WMP	:WMHT	:OELD	:OSP	:WM
NAME	:RMacDougall	:JJSurmeier	:JOBunting	:HJMiller	:WJolmstead	:GWKerr	:JBMartin
DATE	:82/11/08	:	:	:	:	:	:

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

NOV 15 1982

Mr. Johnson Meninick  
Tribal Chairman  
Yakima Indian Nation  
P.O. Box 151  
Toppenish, WA 98948

Dear Mr. Meninick:

The U.S. Department of Energy (DOE) is considering a site on the Hanford Reservation near Richland as a candidate site for a repository to dispose of high-level radioactive wastes. DOE will have to receive authorization from the U.S. Nuclear Regulatory Commission (NRC) to construct the repository, but before DOE submits an application for any site, it must conduct a program of site characterization at several sites to gather information needed for NRC licensing decisions on the ability of these sites to isolate wastes. As its formal notification that its site characterization program at Hanford is about to begin, DOE has submitted to NRC a Site Characterization Report (SCR) for the Hanford site, which DOE is calling the Basalt Waste Isolation Project (BWIP). The Report contains a description of DOE's plans and activities to characterize the ability of the site to isolate high-level wastes, and NRC staff will be reviewing it over the next several months.

Under our repository licensing rule, which is codified as Chapter 10, Part 60 of the Code of Federal Regulations (10 CFR 60), NRC is notifying the public and certain State, local and Indian tribal officials that the SCR has been received and NRC staff has begun to review it. A copy of the SCR is enclosed. We have submitted to the Federal Register a notice to the public that we have received the SCR, and a copy of this notice is also enclosed. We are awaiting its publication, and will also be sending a copy as it appears in the Federal Register as soon as it is published.

The 10 CFR 60 procedures contain provisions for participation by the potentially affected Indian tribes and States in certain aspects of our review. These procedures require the NRC to make its staff available to assist such tribes at their request to keep them informed of our views of the progress of site characterization and assist them upon request in developing any proposal to participate.

NOV 15 1982

The purpose of this letter is to bring these matters to your attention and offer you the opportunity to meet with NRC staff to have us explain our review process and respond to any questions you may have about the Yakima Tribe's possible role in it. We understand that the Yakima reservation is geographically the closest of all tribal reservations to the Hanford site. We are also aware that the Yakima Tribe has expressed concerns about the possible use of the site for a repository, both to NRC (in letters dated January 6 and 8, 1982) and to the Washington State Senate on October 20, 1982. We believe your Tribe is entitled to consultation in our reviews under Subpart C of 10 CFR 60, which sets forth the provisions for State and Tribal participation. A copy of the entire procedural portion of the 10 CFR 60 rule is enclosed.

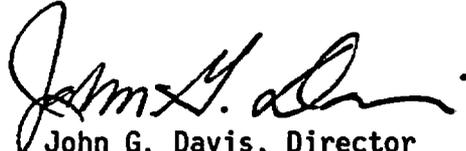
From the 10 CFR 60 procedural rule and our notice of receipt of the SCR, you will note that while site characterization is an important step toward the selection of the first site for licensing, DOE's activities at Hanford will not necessarily result in either DOE's selection or NRC's licensing of that site. NRC's high-level waste procedural rule requires DOE to characterize at least three sites for possible licensing, and DOE has indicated that it also has ongoing studies of sites for possible characterization in Louisiana, Mississippi, Nevada, Texas, and Utah.

In conducting our reviews of DOE activities at the Hanford site, we will be working with Washington State government officials, and may be working with other officials designated by the Governors of the adjacent States of Idaho and Oregon. In Washington State, Governor Spellman has established by executive order a State High-Level Nuclear Waste Management Task Force to be responsible for coordination with NRC and other involved Federal agencies. At the request of the Task Force, NRC provided a briefing on its high-level waste program activities, and we would be pleased to provide a similar briefing to you should you request it. We would also be pleased to meet with you and any other Yakima Tribal representatives for further discussions of the Yakimas' interest in working with us during our reviews.

NOV 15 1982

We hope that the attached material on NRC's review process and our correspondence with other States will be helpful. We look forward to a mutually productive relationship.

Sincerely,



John G. Davis, Director  
Office of Nuclear Material  
Safety and Safeguards

Enclosures:

1. Site Characterization Report (SCR)
2. Notice of Receipt of SCR as sent to Federal Register
3. Procedural Portion of 10 CFR 60 Rule

NOV 15 1982

Mr. Wilfred A. Scott  
Tribal Chairman  
Nez Perce Tribal Executive Committee  
P.O. Box 305  
Lapwai, ID 83540

Dear Mr. Scott:

The U.S. Department of Energy (DOE) is considering a site on the Hanford Reservation near Richland as a candidate site for a repository to dispose of high-level radioactive wastes. DOE will have to receive U.S. Nuclear Regulatory Commission (NRC) authorization to construct the repository, but before DOE submits an application for any site, it must conduct a program of site characterization at several sites to gather information needed for NRC licensing decisions on the ability of these sites to isolate wastes. As its formal notification that its site characterization program at Hanford is about to begin, DOE has submitted to NRC a Site Characterization Report (SCR) for the Hanford site, which DOE is calling the Basalt Waste Isolation Project (BWIP). The Report contains a description of DOE plans and activities to characterize the ability of the site to isolate high-level wastes, and NRC will be reviewing this document over the next several months.

Under our repository licensing rule, which is codified as Chapter 10, Part 60 of the Code of Federal Regulations (10 CFR 60), NRC is notifying the public and certain State, local and Indian tribal officials that the SCR has been received and NRC staff has begun to review it. A copy of the SCR is enclosed. We have submitted to the Federal Register a notice to the public that we have received the SCR, and a copy of this notice as submitted is also enclosed. We are awaiting its publication, and will also be sending a copy as it appears in the Federal Register as soon as it is published.

The purpose of this letter to you is to bring these matters to your attention and offer you the opportunity to meet with NRC staff to have us explain our review process and respond to any questions you may have about your tribe's possible role in it.

The 10 CFR 60 procedures contain provisions for participation by potentially affected Indian tribes and States in certain aspects of our review. These procedures require the NRC to make its staff available to

\*See Previous page for concurrences.

*Part telecon*

OFC	:WMPi*	:WMPi <i>B</i>	:WMHT*	:OSP/ELD	:WM*	:NMSS <i>X</i>	:NMSS
NAME	:RDMac/JJSur	:JOBunting	:HMiller	:Young/Dorian	JMartin	:DMAussardt	:JDa <i>J</i>
DATE	:82/11/10	:82/11/10 <i>✓</i>	:82/11/09	:82/11/10	:82/11/9	:82/11/10 <i>✓</i>	:82/11/10 <i>✓</i>

assist such potentially affected tribes at their request to keep them informed of our views of the progress of site characterization and assist them upon request in developing any proposal to participate.

From the materials enclosed for your reference, you will note that while site characterization is an important step toward the selection of the first site for licensing, DOE's activities at Hanford will not necessarily result in either DOE's selection or NRC's licensing of that site. NRC's high-level waste procedural rule requires DOE to characterize at least three sites for possible licensing, and DOE has indicated that it also has ongoing studies of sites for possible characterization in Louisiana, Mississippi, Nevada, Texas, and Utah.

In conducting our reviews of DOE activities at the Hanford site, we will be working with Washington State government officials, and may be working with State officials designated by the Governors of the adjacent States of Idaho and Oregon. We may also be working with other tribal officials, as noted below.

In Washington State, Governor Spellman has established by executive order a State High-Level Nuclear Waste Management Task Force to be responsible for coordination with NRC and other involved Federal agencies. At the request of the Task Force, NRC has provided a briefing in Olympia on its high-level waste program activities, and we would be pleased to provide a similar briefing to you should you request it. We would also be pleased to meet with you and any other representatives of your tribe for further discussions if the tribe is interested in working with us during our reviews.

For your information, we are sending letters to the Tribal Chairmen of the Colville, Nez Perce, Spokane, Umatilla, Warm Springs, and Yakima Tribes. From our initial investigations and consultations with other agencies, we have identified these as the tribes nearest the site proposed for characterization and which may be interested in our review activities.

\*See Previous page for concurrences.

OFC	:WMPI*	:WMPI	:WMHT*	:OSP/ELD	:WM	:NMSS	:NMSS
NAME	:RDMac/JJSur	:JOBunting	:HMiller	:Young/Dorian	JMartin	:DMAusshardt	:JDavis
DATE	:82/11/10	:82/11/	:82/11/09	:82/11/10	:82/11/	:82/11/	:82/11/

NOV 15 1982

We hope that the attached material on NRC's review process will be helpful. We look forward to hearing from you soon.

Sincerely,

(Signed) John G. Davis  
John G. Davis, Director  
Office of Nuclear Material  
Safety and Safeguards

Enclosures:

1. Site Characterization Report (SCR)
2. Notice of Receipt of SCR as submitted to  
Federal Register
3. Procedural Portion of 10 CFR 60 Rule

ADDITIONAL DISTRIBUTION:

Mr. Elwood Tatawa  
Tribal Chairman  
Confederated Tribe of Umatilla  
P. O. Box 638  
Pendleton, OR 97801

Mr. Delbert Frank  
Tribal Chairman  
Confederated Tribes of the  
Warm Springs Reservation  
Warm Springs, OR 97761

Mr. Al Aubertin  
Tribal Chairman  
Colville Business Council  
P. O. Box 150  
Nespelem, WA 99155

\*See Previous page for concurrences.

OFC	:WMPI*	:WMPI	:WMHT*	:OSP/ELD	:WM	:NMSS	:NMSS
NAME	:RDMac/JJSur	:JOBunting	:HMiller	:Young/Dorian	JMartin	:DMAusshardt	:JDavis
DATE	:82/11/10	:82/11/	:82/11/09	:82/11/10	:82/11/	:82/11/	:82/11/

SCOTT LTRHEAD

- 3 -

We hope that the attached material on NRC's review process and our correspondence with other Tribes and States will be helpful. We look forward to hearing from you soon.

Sincerely,

John G. Davis, Director  
Office of Nuclear Material  
Safety and Safeguards

Enclosures:

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DISTRIBUTION

WM s/f  
 NMSS r/f  
 RMacDougall  
 JSurmeier  
 DMattson  
 MKearney  
 JBunting  
 HMiller  
 WOlmostead  
 GKerr  
 JMartin  
 RBrowning  
 JDavis  
 DMAusshardt  
 DKunihiro  
 FYoung  
 CRussell  
 RULeck  
 RWright  
 SCoplan  
 PAItomare

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 Tribal Chairman  
 Confederated Tribe of Umatilla  
 P. O. Box 638  
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Mr. Delbert Frank  
 Tribal Chairman  
 Confederated Tribes of the  
 Warm Springs Reservation  
 Warm Springs, OR 97761

Mr. Al Aubertin  
 Tribal Chairman  
 Colville Business Council  
 P. O. Box 150  
 Nespelem, WA 99155

NMSS

DMAusshardt  
82/11/

NMSS

JDavis  
82/11/

*no legal objections  
 Benson for  
 per telecon  
 of Young*

OFC	: WMPI	: WMPI	: WMPI	: WMHT	: OELD	: OSP	: WM
NAME	: RMacDougall	: JSurmeier	: JBunting	: HMiller	: WOlmostead	: WKerr	: JMartin
DATE	: 82/11/06	: 82/11/	: 82/11/00	: 82/11/	: 82/11/10	: 82/11/10	: 82/11/9