

APR 18 1983

101/CFR/83/03/30/0

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The Honorable John Spellman
Governor of Washington
Olympia, Washington 98504

Dear Governor Spellman:

I was pleased to receive your letter of March 18, 1983, emphasizing the need for continued cooperation and interaction between the State of Washington and the Nuclear Regulatory Commission in the NRC review of the Hanford Reservation as a potential candidate site for a high-level waste repository. We share your desire to maintain a continuing and close relationship throughout the site characterization process in order to assure that important issues are raised and resolved early. This is particularly important given that a high-level waste repository is a unique, first-of-a-kind facility.

As you point out in your letter, the Nuclear Waste Policy Act requires a sustained and systematic exchange of views and information between the states and DOE at each step of the site characterization process. With regard to federal interaction with states, there may be some areas of duplication and overlap between DOE activities under P.L. 97-425 and NRC activities under 10 CFR Part 60. We are assessing whether any modifications to 10 CFR Part 60 appear warranted consistent with the need for close interaction between appropriate states and the NRC. However, we intend to preserve the relationship we've established with the State of Washington to ensure your continued consultation and participation in the NRC's review of DOE activities at Hanford under 10 CFR Part 60.

Mr. Wayne Kerr, Director of the Office of State Programs, retains overall responsibility for the NRC activities pertaining to the states. However, for the specific purpose of implementing the provisions of 10 CFR Part 60, including state, tribal and local contacts, I have designated Mr. John Davis, Director of the Office of Nuclear Material Safety and Safeguards, to take the lead for this activity. Members of his staff have already been in contact with your staff to arrange a meeting for the purposes of obtaining the States' views on appropriate changes to 10 CFR Part 60 procedural rule involving NRC - State interactions; and, on how the State would like to proceed in developing a proposal to participate in NRC's reviews. All dealings with the State by Mr. Davis' office will be closely coordinated with Mr. Kerr's office.

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We look forward to continuing our work with the State of Washington to assure a mutually constructive implementation of the Nuclear Waste Policy Act of 1982.

Sincerely,

(Signed) William J. Dircks,

William J. Dircks
Executive Director for Operations

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*See previous concurrence

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have already been in contact with your staff to arrange a meeting pursuant to the provisions of Subpart C, to discuss your continued participation in the NRC's review of DOE activities at Hanford. All dealings with the State by Mr. Davis' office will be closely coordinated with Mr. Kerr's office.

We look forward to continuing our work with the State of Washington to assure a mutually constructive implementation of the Nuclear Waste Policy Act of 1982.

Sincerely,

William J. Dircks
Executive Director for Operations

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Concur
per 4/11/83
telephone
call

Concur per
memo of
4/18/83

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The Honorable John Spellman
Governor of Washington
Olympia, Washington 98504

Dear Governor Spellman:

I was pleased to receive your letter of March 18, 1983, emphasizing the need for continued cooperation and interaction between the State of Washington and the Nuclear Regulatory Commission in the NRC review of the Hanford Reservation as a potential candidate site for a high-level waste repository. We share your desire to maintain a continuing and close relationship throughout the site characterization process in order to assure that important issues are raised and resolved early. This is particularly important given that a high-level waste repository is a unique, first-of-a-kind facility.

I have noted with interest your appointment of the High-Level Waste Task Force and have been pleased to note the developing flow of information and contacts with both the NRC and the Department of Energy. We also understand that the State is expending significant resources to examine DOE's Site Characterization Report for Hanford. As you point out in your letter, the Nuclear Waste Policy Act requires a sustained and systematic exchange of views and information between the states and DOE at each step of the site characterization process. We are currently evaluating the full impact of the Act on our procedural rule. We have identified some areas of duplication and overlap between the NRC's procedural rule, 10 CFR Part 60, and provisions of the Nuclear Waste Policy Act. When we have completed our evaluation we will be in touch with your staff. We have every intention of adhering to the major thrust of Subpart C of the NRC's procedural rule, and do not intend to let your relationship with DOE under the Act adversely affect your cooperative relationship with the NRC. We intend to preserve the relationship we've established with the State of Washington to ensure your continued consultation and participation in the NRC review of DOE activities at Hanford under 10 CFR Part 60.

Mr. Wayne Kerr, Director of the Office of State Programs, retains overall responsibility for the NRC activities pertaining to the states. However, for the specific purpose of implementing the provisions of 10 CFR Part 60, including state, tribal and local contacts, I have designated Mr. John Davis, Director of the Office of Nuclear Material Safety and Safeguards, to take the lead for this activity. Members of his staff

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