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Department of Energy  
Washington, DC 20585

*Original not rec'd.  
thru DCC.*

JUL 18 1985

Honorable Nunzio J. Palladino  
Chairman  
Nuclear Regulatory Commission  
Washington, D.C. 20555

WM Record File	WM Project
<u>112</u>	<u>1</u>
	Docket No. _____
	PDR <input checked="" type="checkbox"/>
	LPDR _____
Distribution: _____	
_____	_____
_____	_____
(Return to WM, 623-SS)	

Dear Mr. Palladino:

The Department of Energy has been implementing, during the course of the last several years, the requirements of the Nuclear Waste Policy Act of 1982 (Pub. L. 97-425). This Act provides for a Federal response to the national problem of the large accumulations of spent nuclear fuel and high-level radioactive waste. The Act establishes a Federal responsibility for the permanent and safe disposal of such waste.

The Nuclear Waste Policy Act provides for a comprehensive cooperative effort involving States, affected Indian Tribes, private industry, and other Federal Executive Branch agencies in solving a set of complex technical and institutional challenges. The Office of Civilian Radioactive Waste Management, the Office within the Department of Energy charged with the responsibility for implementing the Nuclear Waste Policy Act, has been working in cooperation with members of your Department in a number of areas, including the development of the Draft Project Decision Schedule for the Radioactive Waste Management System, a copy of which is enclosed.

The Project Decision Schedule is required to be developed by Section 114(e) of the Nuclear Waste Policy Act and is to portray the optimum schedule for the attainment of operation by January 1998 of the Radioactive Waste Management System. The schedule describes the activities associated with the development and operation of the system and establishes deadlines for the affected Federal agencies to take action related to those activities. Provisions are also included which require an affected Federal agency to submit a report to the Secretary of Energy and the Congress should the agency determine that it cannot comply with a deadline in the Project Decision Schedule or that it has failed to comply. The report submitted is to contain an explanation as to the agency's inability to take the required action by the time specified in the Project Decision Schedule.

The Project Decision Schedule is derived from another major program document entitled The Mission Plan for the Civilian Radioactive Waste Management Program (DOE/RW-0005, June 1985). The Mission Plan provides a

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PDR WASTE  
WM-1 PDR

comprehensive discussion of the program's strategy and reference schedules for achieving the initiation of operation of the Radioactive Waste Management System and acceptance of spent nuclear fuel and high-level radioactive waste by January 1998. The Project Decision Schedule specifies those activities and deadlines for taking action for which Federal agencies have responsibility.

The Department of Energy issued a Preliminary Draft Project Decision Schedule (50 FR 1616, January 4, 1985), for Federal agency review and comment. Comments received have been considered and other changes, resulting from a re-evaluation of the Civilian Radioactive Waste Management Program, have also been incorporated in the document. Please note that the Department has incorporated a new requirement in the Draft Project Decision Schedule that was not contained in the Preliminary Draft. We are requesting that the affected Federal agencies review the statutes, regulations, and permits that are listed in Section 10 of the Draft Project Decision Schedule and submit a report to the Department by January 1, 1986 as to their specific application to the Radioactive Waste Management Program. In addition, any statutes, regulations or permits not identified are also to be included in the report to be submitted.

I am requesting, at this time, that you provide your comments on the Draft Project Decision Schedule by September 13, 1985. Subject to resolution of outstanding issues, your response will serve as your agency's initial commitment to the activities, attendant schedules, and deadlines for taking action that are appropriate to your agency. If it is necessary, staff of the Office of Civilian Radioactive Waste Management will meet with your staff to resolve any problem areas identified during your review.

The Department appreciates the cooperation and support that has been extended to us in the development of the Project Decision Schedule. I look forward to the continuation of this positive relationship.

Sincerely,

  
Ben C. Rusche, Director  
Office of Civilian Radioactive  
Waste Management

Enclosure:  
Radioactive Waste Management System  
Draft Project Decision Schedule

cc: Mr. John G. Davis  
Director  
Office of Nuclear Material  
Safety and Safeguards  
Washington, D.C. 20555



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

EDC PRINCIPAL CORRESPONDENCE CONTROL  
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FROM: BEN. C. RUSCHE  
DOE

DUE:

EDC CONTROL: 000871  
DOC DT: 07/18/85  
FINAL REPLY:

TO: CHAIRMAN PALLADINO

FOR SIGNATURE OF:

\*\* GREEN \*\*

SECY NO: 85-636

DESC: REQUEST COMMENTS ON DRAFT RADIOACTIVE WASTE  
MANAGEMENT SYSTEM PROJECT DECISION SCHEDULE

ROUTING:  
LTR ONLY  
DIRCKS  
ROE  
REHM  
STELLO  
MINOGUE  
GCUNNINGHAM

DATE: 07/29/85  
ASSIGNED TO: NMSS CONTACT: DAVIS

SPECIAL INSTRUCTIONS OR REMARKS:  
FOR APPROPRIATE ACTION

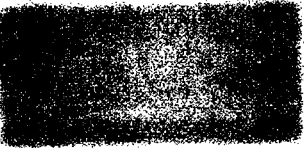
WM Action

Due to NMSS Director's Office  
by ~~8/10/85~~ 8/9/85

WMFC

Note: ~~JG Davis~~ can sign this package.  
Palladino will

FROM <b>BRusche</b>		DATE OF DOCUMENT <b>7/18/85</b>	DATE RECEIVED <b>7/31/85</b>	NO <b>WM-85681</b>
TO <b>NPalladino</b>		LTR	MEMO	REPORT
CLASSIF		ORIG.	CC	OTHER
POST OFFICE	REG. NO.	ACTION NECESSARY <input type="checkbox"/>	CONCURRENCE <input type="checkbox"/>	DATE ANSWERED
		NO ACTION NECESSARY <input type="checkbox"/>	COMMENT <input type="checkbox"/>	BY <b>g/ko</b>
DESCRIPTION (Must Be Unclassified) <b>Review PDS and comment</b>		FILE CODE: <b>112</b>		
ENCLOSURES <i>corrected PDS sheet attached</i>		REFERRED TO	DATE	RECEIVED BY
REMARKS <i>Rec 7/31 Have PC-44</i>		<b>JOBunting</b>	<b>7/31</b>	
		<b>MKearney</b>	<i>7/31</i>	



**Department of Energy**  
Washington, DC 20585

JUL 18 1985

*John Bunting -  
I checked this if  
the official form  
is already.  
RCB  
7/30/85*

Honorable Nunzio J. Palladino  
Chairman  
Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Mr. Palladino:

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*Original document*

-2-

comprehensive discussion of the program's strategy and reference schedules for achieving the initiation of operation of the Radioactive Waste Management System and acceptance of spent nuclear fuel and high-level radioactive waste by January 1998. The Project Decision Schedule specifies those activities and deadlines for taking action for which Federal agencies have responsibility.

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Director  
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