



OFFICE OF THE SECRETARY

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

RELEASED TO THE PDR

7/17/95 date Initials

June 29, 1995

MEMORANDUM TO: James M. Taylor Executive Director for Operations
FROM: John C. Hoyte, Secretary
SUBJECT: SECY-95-104 - SAFEGUARDS FOR SPENT NUCLEAR FUEL OR HIGH-LEVEL RADIOACTIVE WASTE - 10 CFR PARTS 60, 72, 73, AND 75

The Commission (with the Chairman and Commissioners Rogers and Jackson agreeing) has approved publication of the proposed rule in the Federal Register with the inclusion of specific solicitation of comment on the following questions and clarifications. Commissioner de Planque did not participate in this matter.

The staff should clarify whether the intent is to treat the geologic repository operations area (GROA) (including surface and underground facilities) as one facility when applying the safeguards requirements of 10 CFR 73.51 or whether the intent is to have the requirements apply separately to a surface spent fuel storage facility and the underground facilities within the GROA. The technical basis for the approach selected should be provided.

The following questions should be included in the Federal Register Notice with specific request for comments:

- 1) Would the proposed amendments impose any significant additional costs for safeguards of currently stored spent nuclear fuel beyond what is now incurred for that purpose?
2) Is there reason to expect the costs to future licensees to differ substantially from those of current licensees?
3) Are the cost estimates in Table III of the Draft Regulatory Analysis representative of current industry

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experience? Are there significant costs that have not been included in the table?

- 4) Are the costs justified by the benefits that would be afforded by the proposed amendments? Are there alternatives that would afford essentially the same benefits, but be more cost effective?
- 5) Are the proposed amendments in 10 CFR 73.51 appropriate for an MRS or geologic repository operated by the U.S. Department of Energy?

(EDO)

(SECY Suspense: 8/25/95)

cc: The Chairman
Commissioner Rogers
Commissioner de Planque
Commissioner Jackson
OGC
OCA
OIG
Office: Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)