



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

RELEASED TO THE PDR  
7/17/95  
date initials

REVISED

June 30, 1995

MEMORANDUM TO: James M. Taylor  
Executive Director for Operations

FROM: John C. Hoyle, 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.

(EDO) (SECY Suspense: 7/28/95)

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?

SECY NOTE: THIS SRM, SECY-95-104, AND THE VOTE SHEETS OF ALL COMMISSIONERS WILL BE MADE PUBLICLY AVAILABLE 5 WORKING DAYS FROM THE DATE OF THIS SRM.

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- 3) Are the cost estimates in Table III of the Draft Regulatory Analysis representative of current industry 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)