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Governor's Task Force on High-Level Radioactive Waste

85 MAY 28 P3:15

May 6, 1985

WM Record File

105.2.1

WM Project _____

Docket No. _____

PDR _____

LPDR _____

Honorable Nunzio J. Palladino, Chairman
U.S. Nuclear Regulatory Commission
1717 H. Street N.W.
Washington, D.C. 20555

Distribution:

REP. MTC JOHN H. SM. KERR

RDM. DRM. CER. BOYLE

(Return to WM, 623-SS)

LILKUC-III 23

Dear Mr. Palladino:

The State of Minnesota has closely followed the current rulemaking process for amendments to 10 CFR 60 ("Disposal of High-Level Radioactive Waste in Geologic Repositories") and has submitted comments on the preliminary draft of the amendments (August 1, 1984) and on the proposed rule (March 17, 1985). We view this rulemaking with concern because of its effect on state and tribal participation in the repository siting program.

Our initial comments reflected our agreement that adoption of the Nuclear Waste Policy Act necessitated some change in the Commission's licensing provisions. We did not, however, endorse changes that would limit interaction between the Commission and the states and tribes regarding review of the "Site Characterization Plan." Nor did we endorse changes that, coupled with amendments to 10 CFR 2 ("Rules of Practice for Domestic Licensing Proceedings"), would not provide an absolute right of participation in NRC repository licensing proceedings to affected states or tribes. Despite the comments of Minnesota and other states, there has been no significant change in the proposed rule.

Our desire to maintain a high level of state and tribal participation is based, in part, on our favorable experience with the Commission during the siting guidelines concurrence proceedings. We viewed the interaction with the Commission as a positive example of constructive participation that was beneficial to the parties involved, and we were very appreciative of the Commission's willingness to listen and respond to our concerns.

Recognizing the continued value of such interaction, the State of Minnesota requests that the states and tribes be provided an opportunity to directly discuss our views on the proposed 10 CFR 60 amendments with the Commission. Perhaps the best way to accomplish this would be through an informal meeting similar to the roundtable discussion that was arranged for the concurrence proceedings.

5/14..To SECY for appropriate Action...Cpys to: RF, EDO
85-403

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Governor's Task Force on High-Level Radioactive Waste

May 6, 1985

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1717 H. Street N.W.
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Honorable Nunzio Palladino
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As the repository licensing body, the Commission plays a very unique and important role in the nuclear waste program - that of an independent regulator. These amendments further define that role by altering the relationship between the Commission and the affected parties at several key points in the repository siting process. We believe the changes are significant and we hope that the Commission will react favorably to our request for a meeting.

Sincerely,



Tom Kalitowski
Chairman, Governor's Task Force on
High-Level Radioactive Waste

cc: Samuel Chilk, NRC Secretary
AG
Task Force
Affected States and Tribes

FROM Governor's Task Force on HLW		DATE OF DOCUMENT 5/6/85	DATE RECEIVED 5/29/85	NO WM-85474
		LTR XX	MEMO	REPORT
TO NPalladino		ORIG. <i>WMRP: XX</i>	CC <i>due</i>	OTHER <i>6/10</i>
		ACTION NECESSARY <input type="checkbox"/>	CONCURRENCE <input type="checkbox"/>	DATE ANSWERED 6/12
		NO ACTION NECESSARY <input type="checkbox"/>	COMMENT <input type="checkbox"/>	BY
CLASSIF	POST OFFICE	REG. NO.	FILE CODE 105.21b	
DESCRIPTION (Must Be Unclassified) Amendments to 10 CFR 60		REFERRED TO HJMiller	DATE 5/29	RECEIVED BY
ENCLOSURES		<i>Regis</i>		
REMARKS This may become an EDO--at that time return yellow ticket cancelled.		<i>Closed - per telecon with Sam Combs (SECY) on 6/10/85 a letter has been sent responding to Miss. EPA</i>		
WM S/F				