

From: Pete Myers <Pete.Myers@tdh.state.tx.us>
To: "DMS4@nrc.gov" <DMS4@nrc.gov>
Date: 6/9/04 1:01PM
Subject: TDH/BRC May 19, 2004-letter

Dennis:

Dean Kunihiro (WCS) has reviewed our May 19,2004-letter to you in which we asked for NRC to formally confirm the telephonic guidance provided on May 13, 2004. He (WCS) is concerned that the guidance may conflict with their interest in obtaining an 11e2 disposal license in a timely manner. He went on to say that NRC's rules allow for waivers and/or exemptions from requirements for disposal cell liners and fee simple titles and that he expected we would also give reasonable consideration to requests for such waivers and/or exceptions. I told him I was not familiar with NRC's rules but I hoped if an allowance for waiver/exception existed, NRC would have in rule (or policy) criteria for granting or denying such requests.

In your response to our May 19, 2004-letter, please include information on NRC's provisions for processing requests for exceptions or waivers from the requirements for disposal cell liners and fee simple titles, and criteria used for granting or denying requests.

Thanks.

Pete.

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Mail Envelope Properties

(40C74242.0E9 : 4 : 61673)

Subject: TDH/BRC May 19, 2004-letter
Creation Date: 6/9/04 12:59PM
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Created By: Pete.Myers@tdh.state.tx.us

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Mime.822

Size

1199

3953

7069

Date & Time

06/09/04 12:59PM

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Priority:

Standard

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None

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No

Security:

Standard