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November 8, 1976

Marcus Rowden, Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555



Dear Chairman Rowden:

As you know, the Commission is currently conducting a proceeding pursuant to the National Environmental Policy Act (NEPA) to assess the potential environmental impacts resulting from the management of radioactive wastes produced in commercial nuclear power plants. The Commission has now issued a Task Force Report (NUREG-0116) on this subject and, apparently relying solely on this Task Force Report, has recently announced its intention to resume issuing full-power operating licenses to new reactors.

The Natural Resources Defense Council has completed a preliminary review of NUREG-0116. NRDC has found the generalized information that document contains insufficient to project adequately the potential impacts from waste disposal, as required by NEPA, and NRDC's analysis will be provided to the Commission within the review period.

More importantly, however, NUREG-0116 reveals not only that the Commission has failed to live up to its NEPA obligations, but also that the Commission is not fulfilling its obligations under the Atomic Energy Act. In NRDC's judgment, the information in NUREG-0116 establishes the Commission's present inability to provide reasonable assurance that safe disposal of radioactive wastes will in fact be carried out in the future. In light of the Commission's statutory obligation to provide this assurance under the Atomic Energy Act, before it issues operating licenses to new reactors, NRDC believes it is appropriate to file the enclosed petition with the Commission at the present time.

The petition, therefore, requests that the Commission begin a rulemaking proceeding to make the determination required by the Atomic Energy Act of 1954 that radioactive wastes created

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by power reactors will be disposed of safely. The U.S. Supreme Court has recognized that the Act requires NRC to make a definitive safety finding prior to issuance of power reactor licenses. NRDC believes that this required safety finding must include a determination not only that the reactor will operate safely, but also that the wastes generated by a reactor can and, in fact, will be disposed of safely.

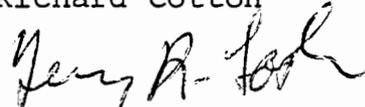
One government scientist at the Argonne National Laboratory has recently emphasized the difficulty involved in making a definitive safety finding with regard to proposed disposal methods. In NRDC's judgment, it is long overdue for the Commission to make this determination before further power reactor operating licenses can be legally issued.

Because of the importance and urgency of this matter, we ask for an early response to this petition.

Sincerely yours,



Richard Cotton



Terry R. Lash

RC:TRL:gg

Enclosure: Petition with Exhibits A, B, C, & D

cc: Samuel Chilk, Secretary
Nuclear Regulatory Commission