

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

NOTICE OF INTENT OF STATE OF
OHIO TO PARTICIPATE IN PROPOSED
RULEMAKING PROCEEDING ON STORAGE
AND DISPOSAL OF NUCLEAR WASTES

PR-50,51

The State of Ohio, through its Attorney General, William J. Brown, pursuant to the authority granted to him by Section 109.02 of the Revised Code, hereby gives its Notice Of Intent to Participate as a full participant in the Nuclear Regulatory Commission rulemaking proceeding on the storage and disposal of nuclear waste. See 44 Fed. Reg. 61372 (Thur., October 25, 1979).

Interest. Within its territorial boundaries, the State of Ohio currently has one operating nuclear power plant, Davis-Besse; one plant which will soon commence operation, Zimmer; one plant which is currently under construction, Perry; and one plant for which construction is pending, Erie. Each of these plants is now or will in the future be creating nuclear wastes as a result of its operation. Furthermore, Ohio has been listed as a possible site for a nuclear waste repository. Therefore, the State clearly has an interest in the outcome of this proceeding.

Qualifications. The State of Ohio has been a participant in previous NRC proceedings such as GESMO and S-3. Therefore, Ohio is well-acquainted with the Commission's procedures. In addition to its experience before the NRC, the State of Ohio has also liti-

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gated before the Ohio Power Siting Commission the availability of nuclear waste disposal facilities and the manner in which availability or non-availability should be considered in the licensing of an individual nuclear power plant. Thus, the State of Ohio is qualified for full participation in this proceeding and its participation will contribute to the Commissioner's ultimate resolution of this matter.

Tentative Position on the Issues. (1) Due to the political, social, and institutional uncertainties of nuclear waste disposal, away from reactor storage and/or disposal facilities may not be available by the year 2007.

(2) Due to the economic and socio-economic uncertainties of nuclear waste disposal, away from reactor storage and/or disposal facilities may not be available by the year 2007.

(3) Due to the technological uncertainties of nuclear waste disposal, away from reactor storage and/or disposal facilities may not be available by the year 2007.

(4) Because of the uncertainties of away from reactor storage and/or disposal, continued on-site storage of increasing volumes of nuclear wastes for an unknown duration of time must be considered in the evaluation of the environmental impact of individual nuclear generating units.

Respectfully submitted,

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