

Commonwealth of Virginia

PUBLIC DOCUMENT ROOM



OFFICE OF THE ATTORNEY GENERAL
SUPREME COURT BUILDING
1101 EAST BROAD STREET
RICHMOND, VIRGINIA 23219
804-786-2071

MARSHALL COLEMAN
ATTORNEY GENERAL



November 29, 1979

Secretary of the Commission
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

ATTN: Docketing and Service Branch

Re: Virginia Notice of Intent to Participate in Proposed
Rulemaking Proceeding on Storage and Disposal of
Nuclear Waste

Gentlemen:

On November 26, 1979, the Honorable John Dalton, Governor of Virginia, filed with the Nuclear Regulatory Commission Virginia's notice of intent to participate in the proposed rulemaking proceeding on storage and disposal of nuclear waste. In the notice filed by the Governor on behalf of the Commonwealth, Virginia did not state tentative positions on the issues expected to arise during the course of the rulemaking proceeding. Instead, Virginia stated that it would file a further statement of tentative positions on issues germane to the rulemaking proceeding within two weeks of the date of submission of the Governor's notice.

On November 29, 1979, I spoke by telephone with Steven S. Ostrach, Esq., of the Office of General Counsel, U.S. Nuclear Regulatory Commission, for the purpose of discussing the need for and timing of a filing of tentative positions on the issues arising during the rulemaking proceeding. Mr. Ostrach confirmed that Virginia was not obligated to express tentative positions on the issues at this time. He further stated that Virginia's right to participate in the rulemaking proceeding would not be jeopardized in any way if Virginia elected to wait until after the pre-hearing conference on the rulemaking to express Virginia's

7 912200 585

1630 330

Secretary of the Commission

Page 2

November 29, 1979

tentative positions. The pre-hearing conference, we are told, will be held within two to four weeks of this date. Accordingly, Virginia will not submit tentative positions on the issues until the pre-hearing conference is concluded. At that time, the Commonwealth of Virginia will take such further action as it determines to be appropriate.

Respectfully submitted,

R. Leonard Vance

R. Leonard Vance
Assistant Attorney General

cc: J. J. Manson
James B. Kenley, M.D.
William F. Gilley
James E. Ryan, Jr.

4:27:142

1630 331