

Identical letters to be sent to:

Honorable Gary Hart, Chairman
Subcommittee on Nuclear Regulation
Committee on Environment and Public Works
U. S. Senate

Honorable John B. Dingell, Chairman
Subcommittee on Energy and Power
Committee on Interstate and Foreign Commerce
U. S. House of Representatives

Honorable Morris K. Udall, Chairman
Subcommittee on Energy and the Environment
Committee on Interior and Insular Affairs
U. S. House of Representatives

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Dear Mr. _____:

Recognizing your interest and concern regarding the management of radioactive waste, I would like to inform you that the Nuclear Regulatory Commission (NRC) has denied a petition for rulemaking that was submitted by a letter dated August 6, 1976 by the Natural Resources Defense Council, inc. (NRDC). This petition requested that the Commission immediately adopt interim regulations setting standards for shallow land disposal of transuranic and other low-level radioactive waste as well as prepare a programmatic generic environmental impact statement (GEIS) on low-level waste disposal. The reasons for denial are discussed in the enclosed Federal Register Notice.

Although the NRC staff found insufficient justification for immediate implementation of regulations as requested by the petitioner, many of the points raised by the petitioner are being considered in the ongoing NRC low-level waste management program. As part of this program, NRC is developing regulations and supporting environmental impact statements regarding (1) maximum concentrations of radionuclides, including transuranic nuclides, which may be disposed of as low-level waste, and (2) administrative, institutional and technical requirements for disposal of low-level waste by shallow land burial and alternative disposal methods. These regulations are scheduled to be published for public comment in, respectively, 1979 and 1980.

The Commission also believes that a separate GEIS as called for by the petitioner is neither required by NEPA nor necessary for development of the NRC low-level waste program. It is intended that the environmental statements and other technical documentation being developed to support the forthcoming regulations will be of sufficient scope to make a separate programmatic GEIS unnecessary.

If we can be of further assistance please let us know.

Clifford V. Smith, Jr., Director
Office of Nuclear Material Safety
and Safeguards

Enclosure: Federal Register Notice
of denial of proposed rulemaking

ENCLOSURE 6

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