UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

OFFICE OF THE
CHAIRMAN

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August 2, 1979

The Honorable J. Bennett Johnston, Chairman
Subcommittee on Energy Regulation
Committee on Energy and Natural Resources
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

Thank you for your note of May 14, 1979 forwarding the questions raised by Senators Domenici and Tsongas following the May 10th waste management/siting hearing. I hope the enclosed answers will be helpful to the Senators.

If we can help in any other way, please let us know.

Sincerely,

Joseph M. Hendrie
Chairman

Enclosure:
As stated

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ANSWERS TO QUESTIONS FROM SENATOR DOMENICI

Question 1: Does NRC support the licensing of TRU waste?

Response: Yes. NRC does support licensing of DOE disposal of TRU waste. In addition, the Interagency Review Group (IRG) on Nuclear Waste Management has recommended NRC licensing of all new TRU disposal facilities, including facilities for militarily generated TRU waste. Legislation would be needed for NRC to license such TRU disposal facility.

Question 2: Does the source of TRU waste in any way affect the desirability of licensing? In other words, does the fact that the TRU waste for WIPP is a defense waste in any way diminish the desirability of licensing this facility or waste?

Response: The source of TRU waste does not affect the desirability of licensing disposal of such waste. The present practice of retrievable storage for defense-related TRU effectively decouples licensing the disposal from the operation of plants which generate the waste. Also, certain physical characteristics of some defense-related TRU waste might be classified. We believe, however, that information concerning the general characteristics of the waste would not ordinarily be classified, and that we would use them as a basis for our safety and environmental assessments for licensing.

Question 3: Can you briefly describe what you would consider to be the scenario for licensing the WIPP facility with and without spent fuel?

A. Specifically, will the waste be licensed or the facility?

B. If the waste is to be licensed to you believe that can be done with defense TRU without endangering the national security?

1019 287

Response: A. NRC licensing authority over DOE waste management activities is derived from sections 202(3) and 202(4) of the Energy Reorganization Act of 1974. These sections confine NRC licensing authority over DOE waste management activities to certain DOE facilities for receipt and storage of high-level radioactive waste. If WIPP were to be used either exclusively for disposal of transuranic wastes from the defense program or primarily for disposal of TRU and up to 1,000 commercial spent fuel rod assemblies, then WIPP might not be required to be licensed by the NRC. While the 1,000 commercial spent fuel rod assemblies would be "high-level radioactive waste," the transuranic wastes would not be, and the facility would probably not be "primarily" for receipt and storage of "high-level radioactive waste" (section 202(3) of the Energy Reorganization Act). If WIPP is to be authorized for the purpose of disposal of defense program high-level wastes, NRC would be required to license that facility under section 202(4) of the Act provided it was not "used for, or . . . part of, research and development activities."

Under the Energy Reorganization Act of 1974, as amended, repositories would not be licensed as "production" or "utilization" facilities. Rather, they would be licensed under those provisions of the Atomic Energy Act dealing with receipt and possession of

"by product" and "special nuclear" materials. However, the Commission has authority under the Atomic Energy Act to fashion procedures for licensing of byproduct and special nuclear material that are tailored to the kinds of activities being authorized and the potential hazards involved. The licensing procedures for geologic repositories set forth in a proposed general statement of policy in the Federal Register of November 17, 1978 (copy attached), provide a review process similar to that used for production and utilization facilities.

B. The IRG believed and we concur that disposal of defense TRU can be licensed without endangering the national security whether it is disposed of at WIPP or another facility. Administrative controls are in existence to protect any classified information from public disclosure.

Question 4: In your statement you say the success of any national nuclear waste policy requires public participation. Have you been in communication with the State of New Mexico in regard to the WIPP facility and in regards to what specific issues?

Response: Members of the NTC staff have met with representatives of the New Mexico Health and Environment Department of January 6, 1978, April 13, 1978 and March 1, 1979, to discuss State participation in the NRC licensing of WIPP should such licensing occur. The January 1978 meeting was coupled with a public meeting in which NRC described its thoughts on licensing procedures and State particpation and then responded to questions. The March 1979 meeting was coupled with a briefing before the New Mexico Senate Conservation Committee and the House Energy and Natural Resources Committee and a meeting with Governor Bruce King. As a result of these meetir we have established a working relationship with the Health and Environment Department and with the DOE-funded Environmental Evaluation Group (EEG) designated to perform an independent review of WIPP. Specific issues discussed included: (1) establishment of public document rooms, (2) timely receipt by the State of DOE information submitted to NRC, (3) public meetings, (4) assignment of an NRC employee to New Mexico, (5) assignment of State employees or a university professor to NRC or an NRC contractor, and (6) State assistance in preparing required environmental assessments. If NRC is authorized to license WIPP, these and other arrangements might be the subject of formal agreements. NRC has also discussed related issues with members of the EEG and the New Mexico Energy and Minerals Department during their visits to the Washington area.

[7537-01-M]

MEDIAL ARTS (PRODUCTION AID) ADVISORY PANEL; NATIONAL ENDOWMENT FOR THE ARTS

Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, notice is hereby given that a meeting of the Media Arts Advisory Panel (Production Aid) to the National Council on the Arts will be held on December 11, 1978, from 9 a.m. to 6 p.m., December 12, 1978, from 9 a.m. to 6 p.m., and December 13, 1978, from 9 a.m. to 6 p.m., Room 1220, Columbia Plaza Office Building, 2401 E Street NW., Washington, D.C.

This meeting is for the purpose of Panel review, descussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairmen published in the FEDERAL REGISTER of March 17, 1977, these sessions will be closed to the public pursuant to subsection (c) (4), (6), and 9(B) of section 552 of Title 5, United States Code.

Furtner information with reference to this meeting can be obtained from Mr. John H. Clark, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call 202-634-6070.

Dated: November 14, 1978.

JOHN H. CLARK,
Director, Office of Council and Panel Operations, National Endowment for the Arts.

[FR Doc. 78-32425 Filed 11-16-78; 8:45 am]

[7537-01-M]

MUSIC (PLANNING SECTION) ADVISORY PANEL; NATIONAL ENDOWMENT FOR THE ARTS

Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, notice is hereby given that a meeting of the Music (Planning Section) Advisory Panel to the National Council on the Arts will be held December 5, 1978, from 9:30 a.m. to 6 p.m., December 6, 1978, from 9:30 a.m. to 5:30 p.m., December 7, 1978, from 9:30 a.m. to 6 p.m., and December 8, 1978, from 9:30 a.m. to 5:30 p.m., in room 1422, Columbia Plaza Office Building, 2401 E Street NW., Washington, D.C.

A portion of this meeting will be open to the public on December 5, 1978, from 9:30 a.m. to 5 p.m., December 6, 1978, from 1:45 p.m. to 5:30 p.m., and on December 7, 1978, from 9:30 a.m. to 1:30 p.m. The topic of discussion will be Policy and Guidelines.

The remaining sessions of this meeting on December 5, 1978, from 5 p.m. to 6 p.m., December 6, 1978, from 9:30 a.m. to 1:45 p.m., December 7, 1978, from 1:30 p.m. to 6 p.m., and December 8, 1978, from 9:30 a.m. to 5:30 p.m., are for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER, March 17, 1977, these sessions will be closed to the public pursuant to subsections (c)(4), (6) and 9(b) of section 552b of Title 5, United States Code.

Further information with reference to this meeting can be obtained from Mr. John H. Clark, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call 202-634-6070.

Dated: November 14, 1978.

JOHN H. CLARK,
Director, Office of Council and Panel Operations, National Endowment for the Arts.

[FR Doc. 78-32426 Filed 11-16-78; 8:45 am]

[7537-01-M]

VISUAL ARTS (CRAFTS EXHIBITION AID/WORKSHOPS) PANEL; NATIONAL ENDOWMENT FOR THE ARTS

Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, notice is hereby given that a meeting of the Visual Arts (Crafts Exhibition Aid/Workshops).

Advisory Panel to the National Council on the Arts will be held December 11, 1978, from 9:30 a.m. to 5:30 p.m., December 12, 1978, from 9:30 a.m. to 5:30 p.m., and December 13, 1978, from 9:30 a.m. to 5:30 p.m., in Room 1426, Columbia Plaza Office Building, 2401 E Street NW., Washington, D.C.

This meeting is for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER of March 17, 1977, these sessions will be closed to the public pursuant to subsection (c) (4), (6) and 9(B) of section 552 of Title 5, United States Code.

Further information with reference to this meeting can be obtained from Mr. John H. Clark, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call 202-634-6070.

Dated: November 14, 1978.

JOHN H. CLARK,
Director, Office of Council and Panel Operations, National Endowment for the Arts.

[FR Doc. 78-32426 Filed 11-16-78; 8:45 am]

[7590-01-M]

NUCLEAR REGULATORY COMMISSION

LICENSING PROCEDURES FOR GEOLOGIC REPOSITORIES FOR HIGH-LEVEL RADIOACTIVE WASTES

Proposed General Statement of Policy

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Proposed General Statement of Policy.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has under consideration the following proposed policy statement regarding establishment of procedures for licensing geologic high-level waste repositories to be constructed and operated by the U.S. Department of Energy (DOE). This NRC policy statement is intended to inform DOE, interested States and members of the public of the procedures with which DOE will be required to comply to receive a license to construct and operate a repository. The policy, as finally adopted, may be codified as part of the Commission's regulations.

DATE: Comments are due on or before January 16, 1979.

ADDRESSES: Send comments and sugestions to: Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, attention: Docketing and Service Branch. Copies of comments may be examined in the U.S. Nuclear Regulatory Commission Public Document Room, 1717 H Street NW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT:

James C. Malaro, Chief, High-Level and Transuranic Waste Branch, Division of Fuel Cycle and Material Safety, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

SUPPLEMENTAL INFORMATION: The Commission is considering the procedures to be used in the licensing of high-level waste repositories, and believes that it would be useful to solicit the views of interested persons prior to making any final decision. Accordingly, the Commission is publishing for comment the Proposed General Statement of Policy on high-level radioactive waste repository licensing procedures set forth below. The Proposed General Statement of Policy could also be used by DOE for interim planning purposes pending a final Commission decision on repository licensing procedures.

Under present statute, it is not clear whether NRC would have licensing authority over DOE's planned Waste Isolation Pilot Plant (WIPP) proposed to be located at Carlsbad, N. Mex. However, if the WIPP facility is subject to NRC licensing, NRC expects to apply these procedures in the licensing review.

NRC licensing authority over DOE waste management activities is derived from sections 202(3) and 202(4) of the Energy Reorganization Act of 1974. These sections confine NRC licensing authority over DOE waste management activities to certain DOE facilities for receipt and storage of high level radioactive waste. If WIPP is to be used exclusively for disposal of transuranic wastes from the defense program and 1,000 commercial spent fuel rod assemblies, then WIPP might not be licenseable. While the 1,000 commercial spent fuel rod assemblies would be "high level radioactive waste,"[1] the transuranic wastes would not be, and the facility would not be "primarily" for receipt and storage of "high level radioactive wastes" (section 202(3) of the Energy Reorganization Act). If WIPP is to be used for disposal of defense program high level wastes, then it would be licenseable under section 202(4) of the Act provided it was not "used for, or . . . part of, research and development activities." It is possible that, depending upon the exact program proposed by DOE, WIPP could be regarded as a research and development facility exempt from licensing.

Introduction

The U.S. Nuclear Regulatory Commission ("NRC" or "Commission") is vested with licensing authority over certain DOE high-level radioactive waste repositories by sections 202(3) and 202(4) of the Energy Reorganization Act of 1974. These sections refer to:

(3) Facilities used primarily for the receipt and storage of high-level radioactive wastes resulting from activities licensed under such Act (Atomic Energy Act).

(4) Retrievable Surface Storage Facilities and other facilities authorized for the express purpose of subsequent long-term storage of high-level radioactive waste generated by the Administration, which are not used for, or are part of, research and development activities.

Under the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, such repositories would not be licensed as "production" or "utilization" facilities. Rather, they would be licensed under those provisions of the Atomic Energy Act dealing with receipt and possession of "byproduct" and "special nuclear" materials. However, the Commission has authority under the Atomic Energy Act to fashion procedures for licensing of byproduct and special nuclear material that are tailored to the kinds of activities being authorized and the potential hazards involved. For example, although a license for possession and use of plutonium in a sealed calibration source and a license for possession and use of plutonium for purposes of processing and fuel fabrication are both special nuclear materials licenses, the former license may be issued after a single review (and indeed may even be generally licensed without the need for filing and review of a specific license application—see 10 CFR 70.19), while the latter license may only be issued after a review process resembling in many respects the two-step licensing review provided in the Atomic Energy Act for production and utilization facilities (see 10 CFR 70.22(f) and 70.23(b)).

In fashioning the procedures which follow, several unique features of geologic high-level waste repositories were carefully considered. For such a repository, the suitability of the site becomes crucial, for the integrity of the site itself is essential to assure containment of the radioactive materials. Thus, sound policy suggests that the Commission be afforded the opportunity to participate in DOE's site selection process, though—considering the tentative character of the activities involved—only in an informal advisory capacity. Also, for such an application, construction of a repository shaft would constitute the first major penetration of the geologic containment. If improperly constructed or sealed, it could impair the ability of the geologic containment to isolate wastes over long periods of time. At the same time, construction of this shaft is expected to dispel some of the uncertainties in the accuracy of data necessary for design of the underground repository. Thus while a safety review prior to sinking of a shaft would be appropriate, the scope of review and the findings required need to take into account the possibility that only limited data may be available. Further, there should be a formal safety review of the main repository design features before substantial commitments are made and alterations become impracticable to implement. Finally, the Commission believes that it should examine the methods of construction and any new information that may have been developed during construction before formally authorizing receipt and storage of radioactive materials at the repository.

If a repository is subject to the NRC licensing authority, the entire repository will be subjected to licensing review, including those activities which by themselves might not be within the scope of NRC responsibility. This comprehensive review will be necessary because loss of integrity in any part of a repository could imperil the integrity of the entire repository.

The Commission believes it should prepare an environmental impact statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 ("NEPA") prior to authorizing construction of the main repository shaft. This statement could be updated prior to receipt and storage of radioactive materials at the repository should new information warrant.

Early Notification to States and Other Interested Parties

In order to provide opportunity for early input from States and other interested parties, the Commission would, upon receipt of a DOE license application or request for an informal early site review, (1) publish in the Federal Register a notice of such receipt (2) make a copy of the application or request available at the Public Document Room, and (3) transmit copies of such request to the Governor of the State and to the Chief Executive of the municipality in which the repository is tentatively planned to be located and to the Governors of any contiguous States. Also, the staff would offer to meet with State and local officials to provide them with information about the Commission's review and to explore the possibilities of State and local participation in the Commission licensing process.

Licensing Procedures

The proposed repository licensing procedures are divided into four parts: review of DOE site selection, review of

[1] Even though spent fuel which is to be disposed of in a geologic repository may have some resource value, it contains radioactive waste. Thus, it is clearly a "high level" radioactive waste because it contains all the toxic and long-lived radionuclides contained in the liquid wastes from reprocessing that have traditionally been regarded as a form of high level radioactive waste.

repository development, repository licensing, and respository closure.

1. *Review of DOE site selection.* There would be informal NRC staff comments to DOE on site suitability matters after DOE's site selection. Such informal consultation, which might take the form of written NRC staff comments supplemented by one or more open meetings between the two agency staffs, would enable the NRC staff to point out those aspects of a location which in its judgment might require special attention or present special problems, and would help to define the kinds of information that might be needed for the Commission to make licensing decisions.

As indicated, the interaction between NRC staff and DOE at this early stage would be consultive in nature. That is, NRC staff may provide comments and advice, but the Commission will neither make formal findings nor take other formal action. DOE would remain at liberty to come forward later with any license application that it believed would conform to Commission requirements, and the Commission would be free, as the evidence might warrant, to formally approve or disapprove the application.

2. *Review of repository development.* The formal Commission licensing review process would begin with the filing of an application for a license by DOE prior to commencement of construction of a repository shaft. The application would be docketed for review after a preliminary review for completeness, notice of the application would be published in the FEDERAL REGISTER offering an opportunity for interested persons to intervene and request a hearing, and a public announcement would be issued.

The application would include information on site suitability and repository design features important to safety. An environmental report prepared by DOE addressing the matters set forth in section 102(2)(C) of NEPA would be submitted with or prior to the application.

It is probable that some information necessary to make a definitive finding of the repository's safety will not then be available. Nevertheless, the Commission [1] could authorize construction of the repository upon completion of a review of all NEPA, safety, and common defense and security issues, and upon finding (1) after considering reasonable alternatives that the benefits of the proposal exceed the costs under NEPA, and (2) that there is reasonable assurance that the types and amounts of wastes described in the application can be stored in a repository of the design proposed without unreasonable risk to the health and safety of the public or being inimical to the common defense and security. Construction would commence with the sinking of the main repository shaft. In the alternative, where insufficient information is available prior to shaft sinking to permit the Commission to make the complete findings set forth above, on request by DOE or on the Commission's own initiative, the Commission could allow the safety review to be conducted in two phases. Construction of the shaft could commence upon finding (1) after considering reasonable alternatives, that the benefits of the proposal exceed the costs under NEPA, and (2) that there is reasonable assurance that: (a) The site is suitable for a repository within which high-level wastes of the kinds and quantities described in the application can be stored without unreasonable risk to the health and safety of the public or being inimical to the common defense and security, and (b) the plans for construction of the main shaft and related structures can be implemented in a manner compatible with the use of the site for a respository. The full findings set forth previously would, then, have to be made before the start of construction of surface and underground structures. Safety issues that could not be resolved based upon the available information might be deferred until the repository operating license review provided that: (1) an adequate program has been developed to resolve the issue prior to that time, and (2) there is reasonable assurance that the issue can be resolved in a favorable manner at the later date. The Commission requests public comments on this possible course of action.

The NEPA environmental review would address, to the extent possible based on available information, environmental impacts and alternatives associated directly or indirectly with siting, construction, and operation of the repository. Any hearing held upon request of an interested person would be conducted in accordance with subpart G of 10 CFR Part 2.

The applicant will be required to report to the NRC, during the course of construction, any site characterization data obtained which are not within the predicted limits upon which the repository design was based. Also, it would be required to report deficiencies in design and construction which, if uncorrected, could have a significant adverse effect upon the safety of the repository at any future time.

3a. *Repository licensing.* Prior to receipt of any radioactive material at the repository, DOE will need to file an updated license application with the Commission. The license authorizing actual receipt and storage of radioactive materials would be issued after the Commission has conducted a final review of health and safety and common defense and security issues in the light of (1) any additional geologic, hydrologic, and other data obtained during construction; (2) conformance of construction of repository structures, systems, and components with the earlier received design; (3) results of research programs carried out to resolve questions identified during prior reviews; (4) plans for startup and routine operations; and (5) plans for identifying and responding to any unanticipated releases of radioactive material from the repository. Issuance of a license will require a definitive finding under the Atomic Energy Act that the receipt, possession, and use of the special nuclear and byproduct materials at the repository will not constitute unreasonable risk to the health and safety of the public or be inimical to the common defense and security. If warranted by new information which the staff judges could materially alter the NEPA cost-benefit balance, the earlier environmental impact statement will be updated. Also, if requested by a person whose interest may be affected, a hearing in accordance with subpart G of 10 CFR Part 2 would be held prior to license issuance.

3b. *License amendment (as needed).* If special restrictions such as retrievability or a limit on amounts or types of wastes have been imposed in the license, an amendment will be required prior to committing waste to irretrievable disposal or prior to the receipt of additional waste. It is anticipated that the required review procedures and findings will be similar to those described above for initial licensing, taking into account additional information obtained during the retrievable storage phase or during operation with limited inventory.

DOE will be required to conduct and monitor its operations, to keep records, and to submit routine and special reports, in accordance with Commission regulations and orders. All operations will be subject to such continuing NRC inspection activities as may be found to be appropriate.

4. *Review of repository closure.* After the repository has been developed and filled to maximum capacity but prior to final closure of the underground excavations and shafts and the decommissioning of surface facilities, and NRC review and approval will be required of the licensee's proposed program for compliance with regulations governing sealing of the underground repository, decommissioning of surface facilities, storage of permanent rec-

[1] For hearings granted on an application, the Commission expects, as in a nuclear power reactor licensing proceeding, to designate an Atomic Safety and Licensing Board to hear and initially decide the contested issues. As in any licensing case, it would be possible for the Board to render partial decisions on several discrete issues, such as NEPA issues.

ords, and long-term monitoring. Following completion of the review, a change in license status may be warranted.

For the U.S. Nuclear Regulatory Commission.

Dated at Washington, D.C. this 14th day of November, 1978.

JOHN C. HOYLE,
Acting Secretary of the Commission.

[FR Doc. 78-32416 Filed 11-16-78; 8:45 am]

[3110-01-M]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on November 9, 1978 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes:

The name of the agency sponsoring the proposed collection of information;

The title of each request received;

The agency form number(s), if applicable;

The frequency with which the information is proposed to be collected;

An indication of who will be the respondents to the proposed collection;

The estimated number of responses;

The estimated burden in reporting hours; and

The name of the reviewer or reviewing division or office.

Requests for extension which appear to raise no significant issues are to be approved after brief notice through this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202-395-4529), or from the reviewer listed.

NEW FORMS

DEPARTMENT OF AGRICULTURE

Economics, Statistics, and Cooperatives Service
Point of Purchase Survey
Single-time
Various farm operations, 11,000 responses; 7,333 hours
Office of Federal Statistical Policy and Standard, 673-7956

DEPARTMENT OF DEFENSE

Departmental and other
CAMPUS/CAMPVA Unified Report on Mental Health Services
CAMPUS 368
On occasion
Mental health service professional providers, 149,000 reponses; 22,350 hours
Caywood, D. P., 395-3443

REVISIONS

FEDERAL RESERVE SYSTEM

Domestic Finance Company Report of Consolidated Assets and Liabilities (Monthly Reprot)
FR 2248
Monthly
Sample of finance companies, 960 responses; 2,400 hours
Geiger, Susan B., 395-5367

FEDERAL RESERVE SYSTEM

Domestic Finance Company Report of Consolidated Assets and Liabilities (Quarterly Report)
FR 2248A
Quarterly
Sample of finance companies, 480 responses; 1,440 hours
Geiger, Susan B., 395-5867

DEPARTMENT OF AGRICULTURE

Economics, Statistics, and Cooperatives Service
List sampling frame
Annually
Farmers, 406,530 responses; 33,745 hours
Office of Federal Statistical Policy and Standard, 673-7956

DEPARTMENT OF THE TREASURY

Bureau of Customs
Special summary steel invoice
Customs 5520
On occasion
Foreign shipper, seller, or manufacturer, 175,000 responses; 43,750 hours
Geiger, Susan B., 395-5867

EXTENSIONS

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

State and local government information (EEO-4)
EEOC 164
Annually
State and local governments with 15+ employees, 45,600 responses; 364,800 hours
Laverne V. Collins, 395-3214

DEPARTMENT OF AGRICULTURE

Forest Service
Technical data—electronic type land use
3700-10
On occasion
Radio, TV, and telephone companies, 100 responses; 25 hours
Ellett, C. A., 395-6132
Economics, Statistics, and Cooperatives Service
Retail seed price inquiry
Semi-annually
Retail seed dealers, 1,400 responses; 467 hours
Ellett, C. A., 395-6132.

DAVID R. LEUTHOLD,
Budget and Management Officer.

[FR Doc. 78-32415 Filed 11-16-78; 8:45 am]

[4510-23-M]

PRESIDENT'S COMMISSION ON COAL

HEARINGS

The President's Commission on Coal will be holding public hearings at the following locations and times:

Date and time: November 29, 1978; 1:00 p.m. to 6:30 p.m.
Place: City Council Chambers, City Hall, 55 West Maiden Street, Washington, Pa.
Date and time: December 14, 1978; 9:30 a.m. to 5:30 p.m.
Place: Armington Science Center, Chrisman Auditorium, Pikeville College, Pikeville, Ky.

The hearings are being held to assure that the views of the public are heard and considered by the Commission in its study.

The Commission was created to conduct a comprehensive review of the state of the coal industry in the United States with particular emphasis on matters pertaining to productivity, capital investment, and the general economic health of the industry; collective bargaining, grievance procedures, and such other aspects of labor-management relations as the Commission deems appropriate; health, safety, and living conditions in the Nation's coal fields; the development and application of new technologies to the industry; the impact on the coal industry of Federal regulations and such other matters as the Commission deems appropriate.

Hearings have already been held by the Commission in Charleston, W. Va., and Denver, Colo. At these sessions, witnesses discussed the broad range of issues which the Commission will be considering over the coming year. The Washington, Pa., and Pikeville, Ky., hearings will be more directed in their scope, with segments of each hearing being devoted to a single topic.

A major portion of the Washington, Pa., hearing will be devoted to testimony from witnesses addressing issues relating to productivity in the coal industry.

The morning session of the Pikeville hearing will focus on problems of the transportation of coal, and the afternoon, housing needs in coal production areas.

ANSWER TO QUESTIONS FROM SENATOR TSONGAS

Question 1: What is the status of preparation of the Final Generic Environmental Impact Statement on Handling and Storage of Spent Light Water Power Reactor Fuel - NUREG-0404? When will this statement be completed?

Response: The Final Generic Environmental Impact Statement on Handling and Storage of Spent Light Water Power Reactor Fuel, NUREG-0404, is in the final stages of preparation by the staff and its consultants. The document, incorporating responses to comments received on the draft statement and updated as necessary, is undergoing NRC management review and is scheduled for publication by August 1979.

Question 2: What is the status of the Part 72 rulemaking on regulations for the licensing of Independent Spent Fuel Storage Facilities? What generic safety and licensing issues has the Commission staff identified thus far in the rulemaking process? What is the expected schedule for promulgation of the final rule?

Response: The proposed rule 10 CFR Part 72 was issued for comment during the period October 6, 1978, to January 5, 1979. Seventy responses comprising some 650 comments have been received, and the NRC staff has been responding to the comments and analyzing the issues raised. The staff presently is making appropriate changes to the draft rule.

Major generic and licensing issues addressed in developing the rule and responding to comments include:

1. adequacy of technology for long term storage.
2. accident potential, i.e. the risks associated with spent fuel storage.
3. allowable dose limits in accident situations, and the related ALARA criteria for occupational exposures.
4. "away-from-reactor" vs. "at-reactor" fuel storage sites
5. public (hearings) and State/local participation in regulatory processes
6. backfitting to accommodate new criteria
7. decommissioning of plants
8. specific licensing requirements for facilities, possession of materials, etc.

9. relationship of Part 72 to the development of a national policy on nuclear waste materials.

The staff plans to coordinate the revised draft rule together with the Generic Environmental Impact Statement (GEIS) on spent fuel storage (See Question 1, above). Current target for the promulgation of the final rule is late Fall, 1979.

Question 3: What is the status of the materials license renewal for the General Electric Morris Operation Fuel Storage Installation (License No. SNM-1265)? What has been the operating history of this facility? What is the status of the proposed modification of the facility to expand its storage capacity and noticed in the Federal Register (Docket 70-1308)? Its present storage capacity?

Response: The expiration date for License No SNM-1265, Docket No. 70-1308, for the General Electric Morris Operation for spent fuel storage is August 31, 1979. However, on February 27, 1979, an application for renewal of this license was received from General Electric and, pursuant to NRC regulations, the license will remain in effect until a determination is made on the renewal request. On April 25, 1979, NRC announced in the Federal Register that the renewal application was being considered and that interested parties could petition for leave to intervene and to request a hearing in this case. Petitions were filed by the Attorney General of the State of Illinois and by four individuals who have joined in a petition.

The GE Morris Operation Fuel Storage Installation was built as a part of the Midwest Fuel Recovery Plant (MFRP) which was designed for the processing of Light Water Reactor (LWR) Fuel. A license for early receipt of spent fuel prior to licensing of the MFRP was issued in December 1971. Following GE's decision not to operate the MFRP in July 1974, NRC issued the fuel storage license for a five year term in August 1974. In February 1975, GE applied for a license to increase storage capacity at Morris from 100 tonnes to 750 tonnes uranium (Te[U]) of spent fuel through storage rack modifications and the use of a pool area originally intended for the storage of canisters containing solidified high level waste. Following safety and environmental reviews, NRC ammended License No. SNM-1265 in December 1975, thereby authorizing the requested increase in storage capacity.

The operating history of the Morris Fuel Storage Installation has been uneventful with the exception of an incident in June 1972 when an empty fuel cask (of a type no longer used) tipped against the basin liner in the unloading pit of the fuel storage basin, puncturing the liner. This allowed basin water to enter the space between the liner and the structural concrete wall, and some water seeped into the adjoining main process building. A temporary patch was installed the next day and the puncture was permanently patched in twelve days.

Question 3 response continued:

Water loss during this leak was carefully monitored and found to amount to approximately 2500 gallons. The radioactivity level of the water was quite low - several orders of magnitude below the limits permitted by the NRC license and by 10 CFR Part 20 of the Commission's regulations. We believe that most of this water was contained within the structure with the possibility that some may have entered fissures in the surrounding rock which resulted from blasting during construction. Monitoring of four wells around the plant has indicated no activity above background.

The operation for more than six years of the Morris Operation fuel installation storage has not resulted in any significant safety or environmental impact.

On April 30, 1977, General Electric applied for an amendment to License No. SNM-1265 which would allow an increase in fuel storage capacity at Morris from 750 to 1850 tonnes through the construction of an additional pool adjacent to the existing pool. Following notice of receipt of this application in the Federal Register, both the Attorney General of the State of Illinois and the Natural Resources Defense Council filed petitions for leave to intervene, and an Atomic Safety and Licensing Board was appointed for the case. However, before the Board could decide on the status of the petitions, the Department of Energy issued a policy statement to the effect that the Federal Government would accept irradiated fuel for storage. Because of the uncertainty over implementation of this National Spent Fuel Policy, General Electric petitioned the Board in November 1977 that the proceedings be suspended. The Board granted this petition in December 1977. The staff's safety and environmental reviews on the proposal have continued and are essentially complete.

The present licensed storage capacity at the GE Morris Operation is 750 Te(U) and the pool is racked for approximately 700 Te(U). Spent fuel presently stored at Morris comprises about 50 percent of this capacity.

Question 4: What is the license status of the spent fuel pool at the Western New York Nuclear Service Center operated by Nuclear Fuel Services, Inc.? What is its present storage capacity?

Response: Nuclear Fuel Services, Inc. (NFS) operates the spent fuel pool under a provisional operating license issued in accordance with 10 CFR Part 50. The New York State Energy Research and Development Authority owns the site and is co-licensee with NFS. The pool was constructed to provide for receipt and storage of spent nuclear fuel prior to its reprocessing in the adjacent separations plant.

The pool presently has in storage approximately 165 tonnes uranium (Te[U]) of spent fuel and has a capacity of about 250 TE (U). Although the present license permits NFS to receive, store and transfer spent fuel, NFS has indicated it has no plans to accept additional spent fuel.

In Minnesota v. NRC, Nos. 78-1269, 78-2032 (D.C. Cir. decided May 23, 1979), a case related to the expansion of spent fuel pools at the Vermont Yankee and Prairie Island power plants, the D.C. Circuit Court of Appeals remanded to the Commission consideration of the following issues: (1) whether there is reasonable assurance that an off-site resolution will be available when the operating licenses for these plants expire; and if not, (2) whether there is reasonable assurance that spent fuel can be stored safely on site beyond those expiration dates. However, the Court did not disturb the Commission's issuance of licenses for these spent fuel pool expansions. The Commission has not had an opportunity to fully analyze this decision and determine the appropriate scope and procedures for a proceeding consistent with the Court's decision.

Question 5: What is the license status, and the scope of review completed thus far, of the Allied-General Nuclear Services reprocessing complex at Barnwell, South Carolina? What is the design capability for spent fuel storage of this facility?

Response: The major components of the nuclear fuel reprocessing complex proposed by Allied-General Nuclear Services (AGNS) for its site at Barnwell, South Carolina were to consist of a reprocessing plant featuring a high-level liquid waste storage system; a related spent fuel storage pool; a plant for the conversion of recovered uranium nitrate solution to uranium hexafluoride feed material for enrichment plants; a facility for the conversion of recovered plutonium nitrate solution to plutonium oxide; and a waste solidification and storage facility for conversion of high level liquid waste to a solid form.

A construction permit was issued to AGNS in 1968 authorizing construction of the reprocessing plant, the spent fuel storage pool and the liquid waste storage system. Later, when AGNS applied for an operating license for these facilities, the AEC staff completed a safety evaluation report and a final environmental impact statement. During a contested hearing on safety and environmental issues that began in September 1974, these evaluations were introduced as part of the testimony by the staff and its consultants. After several weeks of hearings in 1974 and 1975, the proceedings were recessed pending the possible resolution of generic issues on reprocessing and plutonium recycle anticipated in connection with the NRC's Generic Environmental Statement on Mixed Oxides (GESMO), then in preparation. Prior to reconvening the hearing, a Commission order dated December 23, 1977 terminated proceedings on pending or future plutonium recycle related license applications. At the time of the Commission decision, the NRC staff was awaiting clarification from AGNS on certain safeguards issues. (NRC had notified AGNS that additional safeguards measures would be necessary to protect the large quantities of plutonium to be stored and processed at the Barnwell facility). Since the facilities covered by the construction permit were essentially complete, the Commission saw no need to alter the construction permit when the operating licensing proceedings were terminated, and that permit remains in effect.

While considering the operating license application for the reprocessing plant, the staff also received an application from AGNS to authorize receipt and storage of spent fuel at Barnwell. A safety evaluation report and final environmental impact statement on the latter application were published in January 1976, and a public hearing was requested. The proceedings were delayed, however, because of the plutonium recycle issue described above,

Question 5 response continued:

and AGNS has not pursued this proceeding because of the indefinite deferral of fuel reprocessing. The safety evaluation addressed the spent fuel storage pool as originally designed and constructed (capacity about 400 tonnes uranium (Te[U]) of spent fuel) and any modifications to the facility would require further evaluation. Its use as an independent spent fuel storage installation, for instance, rather then for its original planned use associated with the reprocessing plant would entail revisions to the environmental impact statement.

The staff's safety evaluation of the AGNS UF_6 facility and the final environmental impact statement were essentially complete at the time of the Commission's December 23, 1977 order, and licensing reviews were terminated. Staff reviews of the application for the plutonium product facility had progressed through the early stages when AGNS informed the NRC in January 1975 that it was terminating final design of the facility because of the generic issues associated with plutonium recycle. AGNS did not submit an application for the waste solidification and storage facility.

As noted above, the design capability for the spent fuel storage pool at Barnwell is about 400 Te(U) of spent fuel.

Question 6: What is the review status and scope of review completed for the Exxon Nuclear spent fuel storage and reprocessing complex planned for Oak Ridge, TN?

Response In accordance with the Commission's Order of December 23, 1977 terminating GESMO and plutonium recycle-related proceedings, the NRC staff ceased its review of Exxon's application to construct and operate a Nuclear Fuel Recovery and Recycling Center at Oak Ridge, TN.

The safety review had progressed to a point at which Exxon had responded to the NRC staff's initial comments and requests for additional information, and the reviewers were preparing preliminary safety evaluations and developing further questions or positions. Without any additional review effort, most of the reviewers subsequently prepared status reports to preserve a record of their work on the project. The environmental review had progressed to preparation of a preliminary and partial draft environmental impact statement.

Question 7: How many applications has the Commission received for expansion of spent fuel storage capacity by licensees operating or constructing nuclear powerplants? What is the status of these applications? How many have been approved? What has been the length of time required for Commission approval?

Question 7 response

Response: Tabulated below for three categories of power reactor owners or applicants for ownership is a list showing the number of reactors in each category, the number of applications received by NRC to increase storage capacity, the number of applications that have been approved, and the number of reactors affected by the applications received.

Number of Applications to Increase Capacity

	Number of Reactors 1/	Received	Approved	Number of Affected Reactors 2/
Licensees Holding Operating Licenses (OL)	70	52 3/	40	60
Applicants Holding Construction Permits:				
Under OL Review	37	17	--	28
Other Plants Under Construction	53	2	--	5
Applicants for Construction Permit	32	6	--	11

1/ Taken from NUREG-0380 "Program Summary Report," January 19, 1979.

2/ Includes request to store spent fuel shipped from one reactor site to another pool.

3/ Includes 6 second-time applications still under review by NRC.

Of the 70 operating reactors, 60 are affected by one or more requests. Of the other ten, one owner plans to increase on-site storage capacity but has not yet submitted a request. Four increased their storage capacities before their operating licenses were issued. For two reactors there are no identified plans to increase capacity beyond the initial ∿ 1-1/3 core size. One gas cooled reactor and two reactors which are shut down are not involved in spent fuel storage.

Question 7 response continued:

Of the 37 reactors under review for operating licenses 28 will have storage greater than the originally proposed 1-1/3 cores. Of the 85 reactor applications not yet involved in operating license review, 16 include plans for increased storage capacity.

Applications submitted by licensees with operating reactors are reviewed and approved or denied as separate actions. That is, the requests for increased spent fuel storage capacity are not tied to other subjects of review. The time required to review and dispose of the 40 applications received to date has varied from two months to 25 months, with a median time of nine months. When an applicant who holds a construction permit, or is applying for a construction permit, also applies to modify on-site storage capability, that application becomes part of the overall reactor plant review, and the review time for that discrete portion of the application dealing with storage cannot be separated out and measured.

Question 7-A: Identify each application, its status, and type and extent of modification. Comment on the status of any interventions in the licensing review of these spent fuel modifications and identify and comment on the safety and public health issues raised in these interventions referencing where possible License Board proceedings.

Response: The attached Table shows the original spent fuel storage capacity for all operating reactors and the proposed expansion for reactors with applications either pending or reviewed. Dates for applications that have been approved also are shown. All applications propose increasing on-site storage capacities by adding racks of the same design, or replacing old racks with new racks of a different design, to existing spent fuel storage pools. No new pools or pool enlargements have been proposed.

A total of 52 applications were received, and requests for petitions to intervene have been received in 13 cases. Eight cases have been concluded. Four cases involved adjudicatory decisions. Nuclear Regulatory Issuances for each of the four completed hearings follow:

Facility	ASLB	ASLAB
Beaver Valley	7 NRC 811 (1978)	
Prairie Island	6 NRC 265 (1977)	7 NRC 41 (1978)
Trojan	8 NRC 413 (1978)	
Vermont Yankee	6 NRC 436 (1977)	7 NRC 41 (1978)

Issues raised during the interventions included heat rejection from the pool, corrosion of pool liner and rack components, the expected life of spent fuel stored under water, comparison of alternatives, increased on-site fission product inventory, the relation between spent fuel storage and ultimate disposal, and evacuation plans.

TABLE 1

SPENT FUEL STORAGE CAPACITY - 7/10/79

Licensee	Original Capacity	Requested Expansion	Approval
Arkansas Nuclear One 1	253 Bundle	590	12/76
Arkansas Nuclear One 2	486	---	-
Beaver Valley 1	272	833	5/78
Big Rock Point	193	441	-
Browns Ferry 1, 2 & 3	1080 (each	3471 (each)	9/78
Brunswick 1 and 2	720 (each)	1386 (each)	10/77
Calvert Cliffs 1 and 2	190 (each)	528 (each)	1/78
Cook 1 and 2	500	2050	-
Connecticut Yankee	336	1172	6/76
Cooper	740	2366	9/78
Crystal River 3	256	1163	-
Davis Besse	260	735	-
Dresden 1	672	---*	-
Dresden 2 and 3 (Second)	1160 (each) 1440 (each)	1440 (each) 3780 (each)	1/78 -
Duane Arnold	510	2050	7/78
Farley 1	675	---	-
FitzPatrick	760	2244	-
Fort Calhoun	178	483	7/76
Ginna	210	595	11/76

TABLE
- 2 -

Licensee	Original Capacity	Requested Expansion	Approval
Hatch 1	840	---	-
Hatch 2	1120	---	-
Indian Point 2	264	482	12/75
Indian Point 3	264	840	3/78
Kewaunee	176	990	3/79
LaCrosse (Second)	84 134	134 440	3/76 -
Maine Yankee	318	953	10/75
Millstone 1	880	2184	6/77
Millstone 2	301	667	6/77
Monticello	740	2237	4/78
Nine Mile Point 1 (Second)	1140 1984	1984 3009	1/78 -
North Anna 1	400	966	-
Oconee 1 and 2*	336	750	6/79
Oconee 3	216	474	12/75
Oyster Creek	840	1800	3/77
Palisades	276	798	6/77
Peach Bottom 2/3	1100 (each)	2816 (each)	11/78
Pilgrim 1	900	2320	8/78

TABLE
- 3 -

Licensee	Original Capacity	Requested Expansion	Approval
Point Beach 1 and 2	296	351	10/75
(Second)	351	1502	4/79
Prairie Island 1 and 2	198	687	8/77
Quad Cities 1 and 2	1140 (each)	1460 (each)	1/78
Rancho Seco	244	579	6/76
Robinson 2	236	272	2/76
Salem 1	264	1170	-
St. Lucie 1	310	728	3/78
San Onofre 1	216	---	-
Surry 1 and 2	464	1044	3/78
Three Mile Island 1	174	496	12/77
Three Mile Island 2	442	---	
Trojan	280	651	11/78
Turkey Point 3 and 4	217 (each)	621 (each)	3/77
Vermont Yankee	600	2000	9/77
Yankee Rowe	172	391	12/76
(Second)	391	721	-
Zion 1 and 2	340	868	8/76
(Second)	868	2112	-

Storage capacity at fuel reprocessing facilities expressed in MT (metric) tons). One MT is equivalent to about 2 PWR bundles or 5 BWR bundles.

*On site fuel transfer requested and approved as part of action taken for other units on site.

Question 8: How many applications has the Commission received for transhipment of spent fuel; a) between pools of the same utility, b) between pools of different utilities, c) between a utility and an independent away-from-reactor pool? Please identify shipments proposed between different reactor types and comment on the technical issues underlying or preventing such shipments. What is the status of these applications?

Response: The terms of reactor licenses usually confine the storage of spent fuel to the facility where the spent fuel was generated. Therefore, regulatory approval is required for the receipt and storage of spent fuel from another facility, even though two facilities, each with its own pool, are on the same site. Turkey Point Units 3 and 4 are examples. It should be noted here that NRC approval is not required to ship spent fuel; only the recipient of the spent fuel needs approval.

Listed on the attached table are proposals to tranship spent fuel and their review status. All proposals involve shipment between facilities owned by the same utility. No proposals have been made to ship spent fuel for storage between facilities of different utilities.

Proposals to ship spent fuel to an independent spent fuel storage facility are not required because, as stated above, regulatory approval is given to the receiver, not the shipper. Spent fuel has recently been shipped only to the Morris Facility.

Two of the proposed transhipments involve fuel of different types. The storage of spent PWR fuel from the H. B. Robinson facility at Brunswick was approved. A proposal to store spent fuel from the Oconee Station at the McGuire site is under review. Both the shipping and receiving facilities are designed to handle and store spent fuel, so the technical considerations involve only the adaption of fuel handling systems to the different fuel types, storage rack adaptions, etc.. These considerations are accommodated during the normal reviews of spent fuel storage pool and related systems and new kinds of technical issues are rarely involved.

TABLE

INTER-REACTOR FACILITY TRANSFERS

Involved Facilities	
On Site Transfers	
Oconee 1/2/3 (B&W)	- Approved
Turkey Point 3/4 (W)	- Approved
Dresden 1/2/3 (GE)	- Approved
Quad-Cities 1/2 (GE)	- Approved
Brunswick 1/2 (GE)	- Approved
Between Site Transfer and Storage	
Robinson (W) to Brunswick (GE)	- Approved
Dresden (GE) and Quad-Cities (GE)	- Under Review
Oconee (B&W) to McGuire (W)	- Under Review

Question 9: What are the Commission's regulatory requirements and regulatory position concerning the design and capacity of spent fuel storage at nuclear powerplants? How much capacity does the Commission require for individual and multi-unit sites? What are the Commission's requirements for the maintenance of full-core reserve for powerplant spent fuel storage pools? Under the conditions is a licensee required to remove the entire core load of fuel?

Response: NRC has no regulatory requirement for a particular spent fuel storage design or capacity, nor is it aware of any compelling safety reason for requiring a full core discharge capability.

Historically, power reactor facilities have been designed and built with storage pools that could accommodate the irradiated fuel assemblies discharged during refueling, plus some additonal space. Generally, the designs also provide enough additional space for a full core, so that if a need to unload the core should arise, space would be available to do it immediately. The staff has encouraged this design philosphy. NRC practice, as described in current review guidance, is to require applicants to justify the spent fuel storage capacity provided in the design. For example, some recent safety analysis reports state that storage space provided is consistent with the maximum number of spent fuel assemblies to be unloaded from the core during the refueling cycle, plus the fuel contained in a full core load. This would mean a capacity of 1-1/3 cores for a single-unit plant and 1-2/3 cores for a two-unit facility. The staff considers this an appropriate basis for the selection and design of plant storage capacity, and has informed applicants to this effect, but no guides or regulations have been published which require it.

The staff has studied the need for a full core reserve capacity, considering the benefits which might derive from an ability to completely unload a reactor -- for needed repairs or modifications, or to reduce accumulated man-rem dose to workers during certain maintenance or inspection activities, for example -- and it found that none of the postulated events or safety considerations studied demonstrated a need for immediate unloading. Core cooling system redundancies and reactor vessel integrity provide assurance that the reactor vessel is a safe location to keep the fuel already in the core for an indefinite period, following shutdown of the reactor.

Similarly, none of the postulated situations presented any compelling safety reasons for requiring a full core reserve, although the lack of such a capability could be expensive in cases of extended outages. The NRC staff points out these benefits to applicants and licensees, but sees no reason to impose a formal requirement to maintain full core reserve fuel storage capability

Question 10: What is the review and licensing status of the Stone and Webster Engineering Corporation Topical Report SWECO-7601 "Interim Spent Fuel Storage Facility"? What is the procedure for utilities to reference this report? Are there any reactor sites or situations where the facility outlined in this report could not be constructed and licensed? Are there other such proposals under review?

Response: Stone and Webster's Topical Report, SWECO-7601, describes a standardized design for a spent fuel storage pool for construction at an existing reactor site (nominal capacity of about 1100 tonnes uranium of spent fuel). By letter of July 12, 1978 the NRC staff approved the conceptual design, subject to additional information to be provided by a utility applicant for a specific reactor site. In a letter dated January 12, 1979, the staff also identified specific sections of the report for reference in such applications. That letter stated that design requirements and specifications in the identified sections need not be reevaluated when referenced in site specific applications, and that utilities referencing those sections need only commit to design, construction and operation in accordance with them.

In general, the sections approved for referencing cover the design and construction of the pool structure, taking into account seismic, wind, tornado, and flood design requirements. Other sections that may be referenced describe radiation protection features and quality assurance requirements.

The Stone and Webster design incorporates an envelope of parameters (e.g. seismic design at 0.3g) that fits the characteristics of most reactor sites. The staff's evaluation would see to it that the site characteristics fall within the Stone and Webster design envelope.

The NRC has received no other proposals for standardized designs of spent fuel storage pools.

United States Senate

COMMITTEE ON
ENERGY AND NATURAL RESOURCES
WASHINGTON, D.C. 20510

May 14, 1979

Honorable Joseph M. Hendrie
Chairman
NUCLEAR REGULATORY COMMISSION
1717 H Street, N.W.
Washington, D. C. 20555

Dear Mr. Chairman:

Subsequent to the hearing on May 10 on nuclear waste management and facility siting, several questions were submitted for your written response by members of the Committee. These questions are attached.

In order to expedite the printing of these hearings it would be very helpful to have your reply by close of business Friday, May 25, 1979.

Sincerely yours,

J. Bennett Johnston
Chairman, Subcommittee on Energy Regulation

JBJ:bcg

QUESTIONS FROM SENATOR DOMENICI

For Chairman Hendrie:

1. Does NRC support the licensing of TRU waste?

2. Does the source of TRU waste in any way affect the desirability of licensing? In other words, does the fact that the TRU waste for WIPP is a defense waste in any way diminish the desirability of licensing this facility or waste?

3. Can you briefly describe what you would consider to be the scenario for licensing the WIPP facility, with and without spent fuel?

   A. Specifically, will the waste be licensed or the facility?

   B. If the waste is to be licensed do you believe that can be done with defense TRU without endangering the National Security?

4. In your statement you say the success of any national nuclear waste policy requires public participation. Have you been in communication with the State of New Mexico in regard to the WIPP facility and in regards to what specific issues?

QUESTIONS FROM SENATOR TSONGAS

Questions for the Nuclear Regulatory Commission

1) What is the status of the preparation of the Final Generic Environmental Impact Statement on Handling and Storage of Spent Light Water Power Reactor Fuel--NUREG-0404? When will this statement be completed?

2) What is the status of the Part 72 rulemaking on regulations for the licensing of Independent Spent Fuel Storage Facilities? What generic safety and licensing issues has the Commission staff identified thus far in the rulemaking process? What is the expected schedule for promulgation of the final rule?

3) What is the status of the materials license renewal for the General Electric Morris Operation Fuel Storage Installation(License No. SNM-1265)? What has been the operating history of this facility? What is the status of the proposed modification of the facility to expand its storage capacity and noticed in the Federal Register(Docket 70-1308)? Its present storage capacity?

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6) What is the review status and scope of review completed for the Exxon Nuclear spent fuel storage and reprocessing complex planned for Oak Ridge, TN?

7) How many applications has the Commission received for expansion of spent fuel storage capacity by licensees operating or constructing nuclear powerplants? What is the status of these applications? How many have been approved? What has been the length of time required for Commission approval?

7a) Identify each application, its status, and type and extent of modification. Comment on the status of any interventions in the licensing review of these spent fuel modifications and identify and comment on the safety and public health issues raised in these interventions referencing where possible Licensing Board proceedings.

8) How many applications has the Commission received for transhipment of spent fuel; a) between pools of the same utility, b) between pools of different utilities, c) between a utility and an independent away-from-reactor pool? Please identify shipments proposed between different reactor types and comment on the technical issues underlying or preventing such shipments. What is the status of these applications?

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10) What is the review and licensing status of the Stone and Webster Engineering Corporation Topical Report SWECO-7601"Interim Spent Fuel Storage Facility"? What is the procedure for utilities to reference this report? Are there any reactor sites or situations where the facility outlined in this report could not be constructed and licensed? Are there other such proposals under review?