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No. 80-0783 Logging Date 4/18/80

NRC SECRETARIAT

TO: Commissioner _____ Date _____
 Exec. Dir./Oper. _____ Gen. Counsel _____
 Cong. Liaison _____ Solicitor _____
 Public Affairs _____ Secretary _____
 _____ Inspector & Auditor _____
 _____ Policy Evaluation _____

Incoming: Spurgeon Keeny Jr., Acting
From: United States Arms Control & Disarmament Agency
To: Ahearne Date 4/11/80
Subject: comments on NRC's rulemaking proceeding on the disposition of radioactive wastes -- as req in chm's ltr of 3/12/80

- Prepare reply for signature of:
- Chairman
 - Commissioner _____
 - EDO, GC, CL, SOL, PA, SECY, IA, PE
 - Signature block omitted
 - _____
 - Return original of incoming with response

- For direct reply*
- For appropriate action
- For information

Remarks: Cpys to: RF, DOCKET

For the Commission: billie

*Send three (3) copies of reply to Secy Correspondence and Records Branch

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L-41, Pt. 50

UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

Washington, D.C. 20451

OFFICE OF
THE DIRECTOR

April 11, 1980

Dear Mr. Ahearne:

The Arms Control and Disarmament Agency appreciates the invitation, extended in your letter of March 12, to contribute to the Nuclear Regulatory Commission's rule-making proceeding on the disposition of radioactive wastes. Although ACDA has no direct programmatic responsibilities in this area, discussions related to the back end of the nuclear fuel cycle have important nuclear nonproliferation implications, and, as such, are of considerable interest to this Agency. Accordingly, we participated in both the International Nuclear Fuel Cycle Evaluation (INFCE) and Interagency Review Group (IRG) analyses of methods for managing and disposing of nuclear waste materials, including, especially, spent nuclear reactor fuel.

With respect to your first two questions, we note that the IRG and INFCE reports concluded that permanent disposal of radioactive waste is technically feasible, and that President Carter has established a schedule which calls for the first full-scale repository to be operational in the mid-1990's.

Your third question dealt with on-site storage of spent fuel in the event of the unavailability of an off-site capability at that time. We understand that the technology for storage of spent fuel in water-filled pools is well-established and has been proven through extensive experience. We know of no evidence that would preclude the use of this storage technology for extended periods. In addition, reliance on dry techniques for long storage periods also appears to be feasible.

We believe it would be useful to make several additional comments. As you know, for reasons associated primarily

Mr. John F. Ahearne
U.S. Nuclear Regulatory Commission
Washington, D.C.

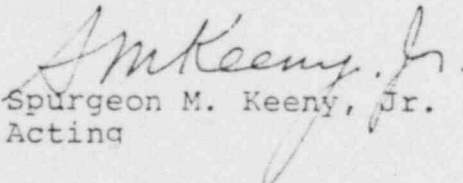
with nuclear proliferation concerns, the U.S. Government has indefinitely deferred support for deployment of a domestic commercial reprocessing capability. As a consequence, consideration is being given to providing for both temporary storage and permanent disposal of high-level wastes in the form of spent fuel which has not been reprocessed. In a position fully supported by ACDA, the IRG found that "reprocessing is not required to assure safe disposal of commercial spent fuel in appropriately chosen geologic environments. Moreover, current United States repository designs are and will continue to be based on the ability to receive either solidified reprocessing waste or discarded spent fuel as a waste material." Thus the question of whether spent fuel is reprocessed or not should not affect conclusions about the availability of off-site disposal facilities for high-level radioactive wastes.

In the shorter term, the Administration is moving toward creation of an away-from-reactor spent fuel storage capability as a further measure for assuring that spent fuel can be safely contained in off-site locations.

Finally, we would like to point out the important non-proliferation implications of an early demonstration of methods for off-site storage and disposal of spent fuel. While the decision to defer commercial reprocessing in this country was based primarily on economic considerations, it was also intended to encourage other countries to consider such deferral. The success of such a policy is, of course, dependent on demonstrating the availability of alternative technologies for coping with the resulting accumulations of spent fuel being generated by operating nuclear reactors. The NRC rulemaking process will constitute an independent assessment of the viability in the U.S. of such alternative technologies, and it may stimulate other countries to consider permanent disposal options which do not require reprocessing.

We hope that these comments will be useful in NRC's rulemaking proceeding.

Sincerely yours,


Spurgeon M. Keeny, Jr.
Acting

No. 80 - 0737 Logging Date 4/15/80

NRC SECRETARIAT

TO: Commissioner _____ Date _____
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Incoming: Gus Speth
From: CEQ

To: Ahearne Date 4/15/80

Subject: response to 3/12 ltr req views of the
CEQ re proceeding to reassess the NRC's degree of conf & r
radioactive wastes will be safely disposed of

- Prepare reply for signature of:
 - Chairman
 - Commissioner _____
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4/16/80
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Remarks: Docket, RF

For the Commission: billie

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