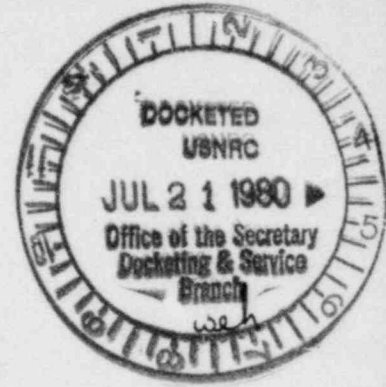


UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



In the Matter of:)
)
NUCLEAR ENGINEERING COMPANY, INC.) Docket No. 27-39
(Sheffield, Illinois Low Level)
Radioactive Waste Disposal Site.))

ISSUES TO BE LITIGATED

Pursuant to the order of the Board at the Prehearing Conference held June 26, 1980 the State of Illinois submits the following issues for litigation in this proceeding.

1. Whether the Nuclear Engineering Company (NECO) may terminate or otherwise dispose of its license to receive, bury and possess nuclear materials without a determination by the Nuclear Regulatory Commission that such termination is in accordance with the Provisions of the Atomic Energy Act and the Regulations promulgated thereunder.

2. Whether termination of the license by NECO under any circumstances is illegal unless and until protection and maintenance of the site is no longer necessary for protection of the public health and safety.

3. Whether, with or without NRC approval, NECO may transfer its responsibilities under the NRC license to the State of Illinois without the State's consent.

4. Whether NECO is the owner of and remains in possession of the radioactive material which has been buried at the Sheffield disposal site.

5. Whether NECO is legally bound under Federal law to remain on the Sheffield site for the duration of its contract with the State in order to provide surveillance and maintenance as is required for the protection of health and safety.

6. Whether NECO is bound to decommission the Sheffield site as required by NUREG 0436, December 1978; NRC "Interim Branch-Position-Low Level Waste Burial Ground Site Closure and Stabilization" March 4, 1979 and the Rules and Regulations of the NRC.

7. The terms of decommissioning and decontamination that will be required, including adequate preparation of the Sheffield site for perpetual maintenance and surveillance.

8. Whether NECO must provide adequate financial assurances, such as a security bond,

- (1) to insure that all necessary decommissioning, surveillance and maintenance of the Sheffield site will be properly carried out; and

- (2) to provide adequate funding for future modifications to the site which may become necessary as a result of settling, erosion or other unanticipated events.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

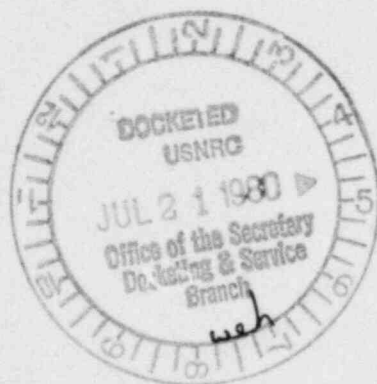
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CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of July, 1980 I served copies of the foregoing Issues to be Litigated, dated July 16, 1980 upon each of the persons named on the attached Service List, by causing copies to be deposited in the U.S. Mail in envelopes properly addressed and sealed, first class postage prepaid.



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