



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

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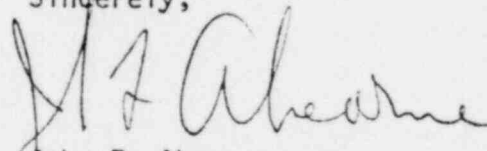
Mr. James M. Frey
Assistant Director for Legislative
Reference
Office of Management and Budget
Executive Office of the President
Washington, D.C. 20503

Dear Mr. Frey:

This is in response to your request for the Commission's views on proposed legislation to establish a State Planning Council on Radioactive Waste Management ("Council"). The Commission believes that the proposed legislation would create an appropriate vehicle for State participation in Federal waste management activities. However, the Commission notes that there is no provision for NRC participation in the Council. Such participation is provided for in the Executive Order initially establishing the Council. The NRC believes that its participation as an observer of the Council's activities would be consistent with its role as an independent regulatory agency and would be a natural extension of its current role in the Council. NRC participation is expected to include explanations of NRC licensing policy as it relates to the Council's deliberations. Such explanations would be especially important with respect to proposed regulations now pending before the Commission for high-level waste repositories. Final NRC actions on these regulations are expected to occur after the termination of the current Council. Accordingly, the Commission recommends that the proposed legislation be amended to include continuing NRC participation in the State Planning Council.

Thank you for this opportunity to comment on this matter.

Sincerely,


John F. Ahearne