



MISSISSIPPI DEPARTMENT OF NATURAL RESOURCES

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March 3, 1980

DOCKET NUMBER DD
PROPOSED RULE 16-2 et al
(44FR 70408)



Secretary
Nuclear Regulatory Commission
Washington, D. C. 20555

Attn: Docketing and Services Branch

Dear Sirs:

THIS DOCUMENT CONTAINS
POOR QUALITY PAGES

RE: COMMENTS ON PROPOSED RULE FOR DISPOSAL OF
HIGH-LEVEL RADIOACTIVE WASTE (HLW) IN GEOLOGIC
REPOSITORIES; PROPOSED LICENSING PROCEDURES

The present approach to the HLW Disposal process evidenced by the proposed licensing procedures outlined in FR, Vol 44, No. 236 is an action in the proper direction. The Mississippi Office of Energy supports the concept of the NRC's involvement in expanded site characterizations rather than provisional construction authorizations and in the review of the Department of Energy's plans for site characterization and site selection procedures, methods and criteria prior to the use of such procedures, methods, and criteria.

There are, however, several comments and questions that deserve additional attention:

- 1) It is most important at the state and local level that agency representatives and citizens in general have a clear understanding of the roles to be played by DOE, NRC, EPA, and other federal agencies that might be involved. The process now defined tends to cloud and distort the view as to these roles.

Some overview of these relationships should be made an ongoing part of any state and local public hearing and/or meetings.

- 2) There are presently several site characterization decisions in progress by DOE, including three sites in Mississippi. The site characterization reports under the pre-application review should apply in retrospect to these efforts.
- 3) The site characterization report does not address directly the problems of site-related impacts, such as transportation, economic and social, on the local and state infrastructure and population. This should be specifically addressed in any site characterization report.

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Secretary, Nuclear Regulatory
Commission

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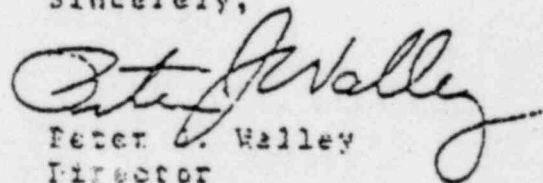
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- 4) The contents of license applications require plans for coping with radiological emergencies. These types of plans place a considerable amount of responsibility for planning on the state and local governments. The extent and scope of the plans should be defined as in those regulations required for nuclear commercial power reactors
- 5) In the license amendment to decommission the description of the program for post-decommissioning monitoring should be more specific and require some minimum level of activity in perpetuity.
- 6) The general tone of the Subpart C--Participation by State Governments--gives the impression that state and local governments are that of observers and occasional participants provided they generate enough activity.

The consultation process should give the state a stronger, more formalized role in the activities of site characterization, particularly those that relate to site specific data as opposed to generic data. The concurrence part of the consultation and concurrence process would then be addressed by any state and/or federal laws in place. The consultation definition and process should be made clearer to the extent that the state has the procedure available to recommend specific courses of action whereupon the Director of the NRC's Office of Nuclear Materials Safety and Safeguards would respond in writing as to why a particular recommendation was not taken, if so. This would define the state participation program in a formal sense. This, of course, would then modify the approval of proposals process (Section 60.83).

Please be assured that Mississippi is vitally concerned with this process and will provide additional comments and concerns as the issue matures.

Sincerely,


Peter C. Walley
Director

FJW/js

cc: Governor William Winter
Attorney General William A. Allain
Mississippi Congressional Delegation