

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



In the Matter of :
PROPOSED RULEMAKING ON : PR-50-51 (44 FR-61372)
THE STORAGE AND DISPOSAL :
OF NUCLEAR WASTE :
(Waste Confidence Rulemaking) :

CROSS-STATEMENT OF
THE STATE OF OHIO

The statements of the various other parties to the proceeding clearly delineate the two different perspectives from which the issues before the Commission may be examined: parties who favor a rapid expansion of nuclear power perceive the waste disposal question as a technological matter and urge the Commission to conclude that safe disposal technology will be developed in a timely manner while parties who approach the continued emphasis upon nuclear power in a more cautious manner perceive institutional and political impediments to a viable waste disposal program and no basis to conclude with reasonable confidence that these barriers may be removed in a timely manner. The presentations of those who would urge the NRC to conclude that safe disposal will be available in a timely manner, however, give little, if any, attention to the institutional problems. Their presentations provide no basis upon which the Commission can reasonably conclude that a disposal system can be implemented in a timely manner despite the institutional concerns raised by Ohio. Thus the

8009100444

DS03
S0/1

Commission should adopt the policy suggested by the State of Ohio and acknowledge the certainties involved in developing a safe waste disposal system and treat the site of each new nuclear waste generating unit as a site for the storage of waste for an indefinite period of time.

Respectfully submitted,

WILLIAM J. BROWN
ATTORNEY GENERAL OF OHIO



E. DENNIS MUCHNICKI
Assistant Attorney General
Environmental Law Section
30 East Broad Street, 17th Floor
Columbus, Ohio 43215
(614) 466-2766