



**GULF STATES UTILITIES COMPANY**

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January 30, 1991  
REG-34,399  
File Code: 19 5.2

Mr. James Kennedy  
Office of Nuclear Material Safety  
and Safeguards  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Dear Gentlemen:

Gulf States Utilities (GSU) is pleased to comment on SECY 90-318 entitled "Low-Level Radioactive Waste Policy Amendments Act Title Transfer and Possession Provisions" (September 12, 1990), which briefs the Commission on issues related to the title transfer and possession provisions of the Low-Level Radioactive Waste Policy Amendments Act of 1985 (LLRWPA) and provides the Commission related NRC recommendations.

GSU supports the NRC's decision to consider now the potential regulatory issues associated with implementation of the title and transfer provisions of the LLRWPA. It is imperative that states are fully informed of regulatory requirements and guidance associated with this issue. GSU also agrees with the NRC's recommendation to provide guidance to the Governors on this subject.

However, GSU emphasizes that the "short-term" interim storage of low-level waste (LLW) is not the solution to this problem. This type of storage will result in significant unnecessary costs and could have potential adverse effects on the regional disposal facility development process. GSU strongly supports that all possible actions should be taken to ensure that states honor their responsibilities to provide for "long-term" permanent waste disposal.

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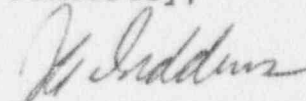
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Furthermore, GSU is concerned with the NRC recommendation in SECY 90-318 that the Commission "approve the staff plans to continue to utilize existing guidance to authorize storage for a single five-year period beginning in 1993." This recommendation would imply that current NRC guidance, not law or regulation, would be utilized as a required prerequisite to LLW storage beyond 1993 for power reactor licenses. GSU is confident that existing 10 CFR Part 50 licenses contain adequate framework for interim utility storage without additional licensing action. Specific guidance requirements for additional on-site LLW storage can be approved by existing licensees under a 10 CFR 50.59 safety evaluation.

In conclusion, GSU fully supports and endorses the comments of Edison Electric Institute (EEI) - Utility Nuclear Waste and Transportation Program (UWASTE) on this issue. GSU appreciates the opportunity to provide these comments to the NRC.

Sincerely,



J. C. Deddens

WHO/LAE/LLD/KCH