

# National Association of Regulatory Utility Commissioners

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September 1, 1993

Charles J. Haughney  
Branch Chief  
Nuclear Regulatory Commission  
OWFN  
11555 Rockville Pike  
Rockville, Maryland 20852

Dear Mr. Haughney:

As promised in my earlier letter concerning the upcoming discussions on nuclear waste that will be held on Tuesday September 7 from 1:00 to 5:00 at the Marriott Marquis in Atlanta, Georgia, I am enclosing a collection of background materials for your review.

Let me draw your attention to the **Assumptions** paper which will be used as a starting point for discussions at this first meeting. This list of assumptions is a discussion draft only and participants will have the opportunity to express their views on these and other assumptions as we proceed.

Other materials included in this mailing at the request of one or more participants are:

Two declarations prepared by Dr. Marvin Resnikoff on Irradiated Fuel Storage Issues.

A Palisades Park Association Presentation on Dry Cask Storage of Nuclear Waste at Palisades N-Plant by Dr. Mary P. Sinclair, Co-chair, Don't Waste Michigan.

NARUC NUCLEAR WASTE PROGRAM

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Betty Easley, Florida

\*Member of the Executive Committee of the Association

Letter to: Charles J. Haughney  
September 1, 1993  
Page 2

A background paper prepared by the Nuclear Regulatory Commission entitled "Spent Fuel in Dry Storage."

A background paper prepared by the Edison Electric Institute entitled: "Summary of U.S. Utility In-Pool Spent Fuel Storage Capability."

An issues paper prepared by the Department of Energy entitled: "OCRWM Workshop on Developing a Consultative Process; Topic I for the Breakout Session: Waste Acceptance and Storage."

A paper prepared by Dan M. Berkovitz, Counsel for the Senate Committee on Environment and Public Works, entitled "Pariahs and Prophets: Nuclear Energy, Global Warming, and Intergenerational Justice" reprinted from the Columbia Journal of Environmental Law Volume 17, Number 2.

A report of the Task Force on an Alternative Program Strategy.

An issues report prepared by the NARUC Nuclear Waste Program Office entitled: "Universal or Multi-Purpose Containers for Storage, Transport, and Disposal of Spent Fuel."

If you have any questions prior to the meeting in Atlanta, please contact me or Janice Owens at 202-347-4314.

Sincerely,



Cas Robinson,  
Director

Enclosures

## ASSUMPTIONS

- It is expected that responsibility for developing permanent disposal capacity for existing civilian spent nuclear fuel will continue to reside with the Federal Government in accordance with the provisions of the Nuclear Waste Policy Act of 1982.
- It is assumed that the United States shall eventually utilize deep geologic repositories for the permanent disposal and isolation of civilian spent nuclear fuel.
- Sub-seabed disposal or reprocessing of civilian spent nuclear fuel are not considered viable options in the U.S. at the present time.
- The United States will remain committed to continuing characterization studies of Yucca Mountain as the potential first repository for civilian spent nuclear fuel.
- The need for interim storage solutions is immediate and will increase over time.
- Extended on-site storage of spent nuclear fuel is not likely to be an option for all utilities and sites.
- Long-term storage of spent nuclear fuel at reactor sites will not be acceptable to utilities and ratepayers that have paid for other disposal solutions, and will raise the total cost of waste disposal and impede progress towards a final solution.
- The Department of Energy has a responsibility to begin accepting civilian spent nuclear fuel in 1998.
- The stockholders and ratepayers of nuclear utilities will be asked to continue to pay the costs associated with interim storage of spent fuel as well as the cost of developing a long-term repository either through the existing nuclear waste fund and/or by individual assessment.
- Characterization studies at Yucca Mountain could be conducted more cost effectively and expeditiously if sufficient funding was made available.

- It is unlikely that a "greenfield" Monitored Retrievable Storage facility could be licensed, constructed and operating by 1998.
- There will be a need for off-site, interim spent fuel storage capacity or some utilities will be forced to cease nuclear plant operations prematurely until a site for a repository is selected, and the facility is licensed and operating.
- The Nuclear Waste Policy Act could be amended by Congress.

## Fax Transmission

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To: *Charles Houghney*  
Company: *NRC*  
Fax #: *301-504-2260*

From: Cas M. Robinson  
Date: November 1, 1993

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### Message:

Commissioner Lynn Shishido-Topel, Chairman of the NARUC Subcommittee on Nuclear Issues and Waste Disposal, assumed oversight of the transition between the original NARUC dialogue format and the current format. The purpose of this message is to let you know that late last week she was contacted by a representative of Georgians Against Nuclear Energy [GANE]. At which time, she was told that three groups, including GANE wished to sit as participants at the dialogue.

Commissioner Shishido-Topel explained that, for various reasons, she could not add more participants to the dialogue group, but she did point out and emphasized that there will be time **set aside at the meeting for ALL interested parties not at the table to express to the NARUC their views and concerns on the issue of interim storage of spent nuclear fuel.** Let me or Commissioner Shishido-Topel know if you have any questions regarding this matter.

Cas Robinson

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< TRANSACTION REPORT >

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