



WESTERN GOVERNORS' CONFERENCE

THE COUNCIL OF STATE GOVERNMENTS

165 POST STREET, 5th FLOOR

SAN FRANCISCO, CALIFORNIA 94108

(415) 986-3760

June 21, 1982

Mr. Nunvio J. Palladino
Chairman
Nuclear Regulatory Commission
1717 H Street, N.W.
Washington, D.C. 20555

Dear Mr. Palladino:

During the recent Western Governors' Conference, held June 2-5 in Salishan, Oregon, the Governors present passed the enclosed resolution, entitled "High Level Nuclear Waste Disposal." As you know, potential waste sites in our region are now being reviewed and evaluated. To assure the adequacy of that process, we urge that you adopt the principles outlined in the attached resolution.

I invite your comment on the issues raised and positions taken by the Conference in this resolution.

Sincerely,

Victor Atiyeh
Governor of Oregon
Chair of Western Governors' Conference

Enclosure
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DESIGNATED ATTORNEY

Certified By _____

8209220498 820813
PDR COMMS NRCC
CORRESPONDENCE PDR

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APPROVED RESOLUTION 82-11

HIGH LEVEL NUCLEAR WASTE DISPOSAL

(Introduced by Governors
Bruce King, New Mexico,
Robert F. List, Nevada, and
Scott M. Matheson, Utah)

WHEREAS, the U. S. Congress is currently debating high level nuclear waste disposal legislation; and

WHEREAS, the U. S. Department of Energy is proceeding to evaluate potential high level waste disposal sites in the West; and

WHEREAS, adequate state involvement and participation are vital in assuring the protection of the health, welfare and natural resources of a state selected to host a disposal site; and

WHEREAS, federal government actions must be taken on the basis of sound and complete analysis and review;

NOW, THEREFORE BE IT RESOLVED that the Western Governors' Conference urges the Congress and the Administration to adopt the following principles in any high level nuclear waste disposal legislation, and to observe these principles in actions taken pursuant to high level waste disposal policy:

1. State Consultation and Concurrent

Full state consultation throughout the siting process with the opportunity for state concurrence in any siting decisions is essential. A two house Congressional override of a state's disapproval would provide the appropriate mechanism for insuring that the overall national interest can be protected while affording the state the possibility for full protection of those interests unique to the health, welfare and natural resources of the state.

2. NEPA Compliance

Full environment review pursuant to the National Environmental Policy Act is likewise essential to insure selection of safe geologic sites from a full range of media alternatives, with open public scrutiny of the federal decision making process, including public hearing at each and every decision making stage.

3. NRC Licensing

Nuclear Regulatory Commission licensing must be required for both interim and permanent disposal sites and the Test and Evaluation facility.

4. Impact Assistance

Full impact assistance for both direct and indirect impacts resulting to state and local entities resulting from interim and permanent facilities must be available. The burden for a national problem must not be placed upon individual states and communities without financial assistance for impact mitigation as part of the overall responsibility of the federal government for the disposal program.

5. Military Waste

Military waste sites must be subject to the same level of state review and participation, including a state veto and subsequent two house congressional override provision, as in the siting process for commercial facilities.

6. Freeze on DOE Activities

A 180-day freeze of current USDOE siting activities to allow for full public hearings to be conducted by USDOE on the public draft of the National Plan for Siting High Level Radioactive Waste Repositories and Environmental Assessment.

7. Time Schedule

The schedule for siting and construction of a repository must reflect the technical capabilities of the DOE and must allow for timely public involvement at critical decision points. Current timeframes outlined in both the House and Senate proposed legislation do not allow for thorough technical assessment and public review of DOE siting decisions.