



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

OFFICE OF THE
SECRETARY

November 28, 1990

Mr. Jerry Griepentrog
Convenor, LLW Forum
c/o Afton Associates, Inc.
403 East Capitol Street
Washington, D. C. 20003

Dear Mr. Griepentrog:

I am responding to your letter of October 23, 1990, to Chairman Carr concerning Commission consideration of the title transfer and possession provisions in the Low-Level Radioactive Waste Policy Amendments Act of 1985 (Act). As you are aware, the Commission met with the NRC staff on this issue on October 29, 1990, to consider the staff's recommendations. At that meeting, the Commission discussed your letter and agreed that if States and compacts have views on this subject they should communicate them expeditiously through the Forum to NRC so that these views can be considered by the Commission in its deliberations.

In addition to general views on the title transfer and possession provisions of the Act, the Commission is particularly interested in comments on the following:

1. What factors should the Commission consider in deciding whether to authorize on-site storage of low-level radioactive waste (LLW) beyond January 1, 1996, for purposes other than storage for a few months to accommodate operational needs such as consolidating shipments or holding for periodic treatment or decay?
2. What are the potential health and safety and environmental impacts of increased reliance on on-site storage of LLW?
3. Would LLW storage for other than operational needs beyond January 1, 1996, have an adverse impact on the incentive for timely development of permanent disposal capacity?
4. What specific administrative, technical, or legal issues are raised by the requirements for transfer of title?

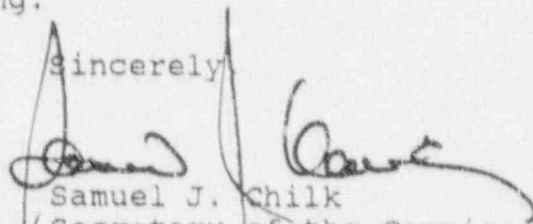
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5. What are the advantages and disadvantages of transfer of title and possession as separate steps?
6. Could any State or local laws interfere with or preclude transfer of title or possession of LLW?
7. What assurances of the availability of safe and sufficient disposal capacity for LLW should the Commission require and when should it require them? What additional conditions, if any, should the Commission consider in reviewing such assurances?
8. Are there any other specific issues that would complicate the transfer of title and possession, as well as on-site storage, of LLW and mixed (radioactive and chemical hazardous) waste?

In addition, the Commission agreed at the meeting that in the future staff should solicit the views of States and compacts during development of subsequent positions on significant policy issues involved with implementation of the Act.

I have enclosed a copy of the staff paper to the Commission, SECY-90-318, "Low-Level Radioactive Waste Policy Amendments Act Title Transfer and Possession Provisions," for your use in providing the views of Forum participants. This paper was released prior to the Commission meeting on October 29, 1990, and copies were made available at the meeting.

Sincerely,



Samuel J. Chilk
Secretary of the Commission

Enclosure:
SECY-90-318



POLICY ISSUE

(Notation Vote)

SECY-90-318

September 12, 1990

For: The Commissioners

From: James M. Taylor
Executive Director
for Operations

Subject: LOW-LEVEL RADIOACTIVE WASTE POLICY AMENDMENTS ACT TITLE
TRANSFER AND POSSESSION PROVISIONS

Purpose: This paper responds to the Commission Staff Requirements Memorandum (M900117) to provide the Commission with information on the issues concerning the waste title transfer and possession provisions set forth in the Low-Level Radioactive Waste Policy Amendments Act (LLRWPA) of 1985 and provide options for Commission action.

Category: This paper covers policy issues requiring Commission consideration and approval.

Summary: The staff has evaluated issues raised by the waste title transfer and possession provisions of the LLRWPA. Major issues raised relate to States taking possession of low-level waste (LLW) after 1993 or 1996, and licensing of such possession (storage) by the U.S. Nuclear Regulatory Commission (NRC) and Agreement States. Before a State can take possession of the waste, a specific license from either NRC or an Agreement State will be required. Existing regulations in 10 CFR Parts 30, 40, 50, and 70 and comparable regulations in Agreement States are adequate for licensing short-term interim storage. Guidance on storage in Generic Letters 81-38 and 85-14 and Information Notices 89-13 and 90-09 has been transmitted to NRC licensees and Agreement States and is also adequate for licensing of short-term interim storage. This guidance includes consideration of keeping storage to limited periods of time (i.e., five years or less) and places emphasis on shipment of LLW for final disposal. After analyzing the issues for

NOTE: TO BE PUBLICLY RELEASED 10/24/90
WITHOUT ENCLOSURE 1

Contact:
Stephen N. Salomon, NMSS
(301) 492-0569

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Commission action and the advantages and disadvantages of four approaches, staff recommends that, as a first step, a letter be sent to Governors that reviews the 1993 and 1996 provisions of the LLRWPA and transmits existing NRC guidance on storage of LLW. Staff would authorize storage only for a single five-year period using existing guidance, whether at a generator's facility or a state facility. Authorization for storage for additional periods would require an evaluation of the adequacy of existing guidance and an assessment of possible generic impacts. Staff will also continue to monitor the States' progress in establishing new disposal capacity and address questions and issues as they arise, including development of further guidance or rulemakings as they are identified.

Background:

On January 17, 1990, the staff briefed the Commission on the status of the Governors' certifications submitted to NRC as required by the 1990 milestone of the LLRWPA. As a result of discussions during this briefing, the Commission issued a staff requirements memorandum dated February 14, 1990, which requested the staff: (1) to evaluate the issues raised by the waste title transfer provisions of the LLRWPA; (2) to evaluate the advantages and disadvantages of various conceptual approaches available to NRC for fulfilling any responsibilities it may have in implementing these provisions of the LLRWPA; and (3) to develop a schedule for proceeding with the development of necessary regulations or regulatory guidance so that the framework for implementing these provisions would be in place by January 1, 1993.

Section 5(d)(2)(C) of the LLRWPA sets forth the 1993 and 1996 deadlines which contain the requirements for title transfer to, and possession of, LLW by States. This section of the LLRWPA provides that if a State or compact cannot provide for the disposal of its LLW after January 1, 1993, any generator in that State (compact) may request that the State in which the generator is located take title to and possession of the waste generated or assume liability for the failure to do so. This 1993 deadline, in comparison to the 1996 deadline, allows the State to elect not to take legal responsibility. In this case, however, the LLRWPA imposes a financial penalty on the States, in that surcharge rebates will go to generators, not to the States. Nearly all the Governors' Certifications submitted to meet the 1990 milestone indicated the State planned on interim storage by waste generators during the 1993 through 1996 period. However, after the final deadline of January 1, 1996, the States, upon proper notice by the generator or owner, shall take title to and be obligated to take possession. The State is liable for all damages directly or indirectly

incurred by the generator or owner if it fails to take possession as soon after January 1, 1996, as the generator or owner notifies the State that the waste is available for shipment. With title and possession, the State is responsible for safely managing the radioactive waste it possesses.

The failure of some States to meet milestones of the LLRWPA (e.g., Vermont), the lack of progress of other States to site a new LLW disposal facility (e.g., Michigan) and the plans of most non-sited States to store LLW after 1992 until new sites are established, will lead to significant increases in NRC and Agreement State licensee reliance on storage of LLW. Such storage is being considered not only at individual licensee facilities but also at new central facilities (e.g., New York). Some licensees having excess storage space may also be asked by States or other licensees not having sufficient storage space to store waste for multiple licensees. The expected duration of such storage in some States will approach the five year time frame set out in existing NRC guidance and is likely to exceed the 1996 deadline established in the LLRWPA for the establishment of new disposal capacity.

Discussion:

In response to the first SRM request, the staff considered a range of far-reaching issues possibly resulting from the title transfer provisions of the LLRWPA. Many issues, however, clearly are tied to the national program established by the LLRWPA and lead to other issues tied to alternatives not envisioned by the LLRWPA, such as long-term or indefinite-term storage. While staff recognizes that some States or Compacts may not have new disposal facilities operational by 1993 or 1996, staff also concludes that it is not appropriate at this time to speculate that such facilities will not be established. Thus, in response to the first SRM request, the staff evaluated the following three issues raised by the title and transfer provisions of the LLRWPA:

1. Adequacy of the existing regulatory framework to enable States to take title and possession of low-level waste.
2. The staff issuance of licenses for storage after 1996 and the question of whether such actions will remove incentive for States to achieve the permanent disposal objectives of the LLRWPA.
3. The length of time for such storage approval.

The first issue is whether the existing regulatory framework is adequate. Office of the General Counsel staff analyzed Section 5 of the LLRWPA in order to determine NRC's responsibilities associated with the 1993 and 1996 deadlines (see Enclosure 1). Since 10 CFR Parts 30, 40 and 70 each contain a general license authorizing any person, including a State, to be an owner of ("take title to") radioactive materials, the legal formality of States taking title to LLW for storage will focus on the laws of the various States pertaining to transfer of ownership of personal property. Consequently, there appear to be no significant legal regulatory issues germane to NRC for the transfer of title for LLW to States. Possession of LLW, however, will require a specific license from either NRC or an Agreement State before a State can take possession of the waste. Existing regulations in 10 CFR Parts 30, 40, 50, and 70 and guidance on storage in Generic Letters 81-38 and 85-14 and Information Notices 89-13 and 90-09 are adequate for licensing. Generic letter 81-38 and Information Notice 90-09 include consideration of keeping storage to limited periods of time (i.e., five years or less) and place emphasis on shipment of LLW for final disposal. Thus, on the first issue, it is determined that NRC has an existing regulatory framework for licensing title transfer and interim storage. The Agreement States also have an adequate regulatory framework. They have received NRC guidance and have been encouraged to adopt similar guidance for their licensees.

The second issue is whether the staff should issue licenses for storage after 1996 and whether such an action will remove incentive for States to achieve the permanent disposal objectives of the LLRWPA. The third issue is the period of time for such storage approval. Although the LLRWPA does not impose implementation responsibilities on NRC regarding the 1996 deadline, it would be contrary to the national policy expressed in the LLRWPA to take actions which could be seen as relieving States from the need to accomplish the overall objective for permanent disposal of low-level waste. The staff believes that the Commission's statement in the February 14, 1990, Staff Requirements Memorandum that it "will not look favorably on long-term on-site storage after January 1, 1996," is consistent with the national policy. Consistent with Commission guidance, staff will authorize interim (short-term) storage beyond 1996 based on need while disposal capacity is being developed. Storage approvals, needed in 1993, would be authorized for only a single five-year period using existing guidance, whether at a generator's facility or a state facility. This period of time should be sufficient to allow for the establishment of new sites by States or Compacts without access to a site

on January 1, 1993. While no law or regulation prohibits storage of wastes for periods of time in excess of five years and beyond 1996, authorizing storage for a period which extends beyond 1998 could be construed as being inconsistent with current national policy. Thus, for future requests for authorization to store LLW for additional five-year periods beyond 1998, staff should consider the adequacy of the use of existing guidance, should evaluate the appropriate and necessary license requirements to assure safety, and should assess the possible generic impacts of storage beyond a single five-year period.

The second item in the SRM requested the staff to examine the advantages and disadvantages of various conceptual approaches to address the title transfer and possession provisions of the LLWPAA. The staff has examined a number of approaches. They are:

1. Amend Parts 30, 40, and 70 to codify NRC's position and requirements that would be applied in licensing storage as they pertain to the LLRWPA 1993 and 1996 deadlines.
2. Issue a letter to the Governors summarizing NRC's position, regulations, and guidance for LLW storage as they pertain to the LLRWPA 1993 and 1996 deadlines. Follow national progress on the development of new disposal facilities, and if a need is identified, develop NRC safety guidance for longer term storage after consulting with the Commission.
3. Issue a policy statement containing information similar to that contained in Alternative 2.
4. Take no action.

The advantages and disadvantages of each are discussed in Enclosure 2.

The review reveals that existing guidance for interim short-term storage by reactor and non-reactor licensees is adequate and the need for additional guidance involving storage for longer, more indefinite periods of time can be addressed as needs are identified. Thus, a rulemaking action is not required at this time.

In reviewing the second and third approaches, the staff recommends that NRC provide guidance to the Governors. The guidance would address the various regulatory and technical considerations associated with the title transfer and

possession provisions of the LLRWPA with particular emphasis on storage issues. The option of issuing a policy statement appears less desirable to staff. The development and issuance of a policy statement can be an intensive and lengthy process. A policy statement may also demand a much more immediate and detailed resolution of a broader range of issues involving storage at a time when such action could possibly limit or constrain future options. Thus, a letter to the Governors, signed by the Chairman, is the preferred alternative.

The letter would emphasize interim short term storage issues and requirements for obtaining a license authorizing possession of radioactive materials in the form of LLW. The letter would also emphasize that design of a facility for longer term storage would likely be considerably more complex and may be subject to safety controls that go well beyond the measures identified in NRC guidance for periods up to five years. Enclosure 3, "Guidance for Governors," contains the proposed letter. Upon approval by the Commission, the Staff will issue the subject letters.

The no action approach calls only for NRC to monitor States' progress in establishing new disposal capacity and react in response to developments. For this last approach, the advantages of NRC resource savings and allowing NRC the maximum flexibility in addressing issues are outweighed by the disadvantages of not reemphasizing NRC's policy and guidance on LLW storage in the context of the LLRWPA 1993 milestone.

The third SRM item called for schedules to develop necessary regulations or guidance. Since no additional regulations or guidance appear necessary for the LLRWPA 1993 milestone, schedule development is not necessary.

Future Plans:

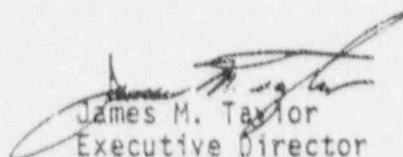
The staff will continue to monitor progress of the States in establishing new disposal capacity and address questions and issues regarding storage as they arise. Such opportunities are available through the LLW Forum, the Technical Coordinating Committee, the Agreement States, the State Liaison Officers, and workshops. The staff will identify and take action to address areas requiring further guidance or rulemaking as they are identified. Such action now could possibly limit the range of future actions available to the Commission. It might also preclude opportunity for input from future State actions and other actions such as the recent State challenges to the constitutionality of taking title and possession of LLW pursuant to the LLRWPA.

The staff will continue to reaffirm NRC's position in correspondence and meetings, namely, that NRC does not look favorably on extended long term storage of LLW. Authorizations for storage up to five years, and beyond the 1996 deadline, will be issued if needed for safe management of LLW while disposal capacity is being developed by the States. The staff will also coordinate with the Agreement States and encourage Agreement State regulatory agencies to adopt and carry forward a similar position.

Coordination: This paper has been coordinated with the Office of Governmental and Public Affairs. This paper has been reviewed by the Office of the General Counsel which has no legal objection.

Recommendation:

- 1) That the Commission approve issuance of the proposed Guidance to Governors (Enclosure 3).
- 2) 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.


James M. Taylor
Executive Director
for Operations

Enclosures:
1. OGC Analysis
2. Alternatives
3. Guidance for Governors

Commissioners' comments or consent should be provided directly to the Office of the Secretary by COB Wednesday, September 26, 1990.

Commission Staff Office comments, if any, should be submitted to the Commissioners MLT Wednesday, September 19, 1990, with an information copy to the Office of the Secretary. If the paper is of such a nature that it requires additional review and comment, the Commissioners and the Secretariat should be apprised of when comments may be expected.

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ENCLOSURE 1

NOT PUBLICLY AVAILABLE

ENCLOSURE 2

ALTERNATIVES

1. Amendments to 10 CFR Parts 30, 40 and 70

NRC would initiate a rulemaking to amend 10 CFR Parts 30, 40, and 70, to codify NRC's position and requirements that will be applied in licensing storage of LLW as it pertains to the 1993 and 1996 milestones while disposal capability is developed. This alternative provides a number of advantages, including the following:

- a. An advanced notice of proposed rulemaking would allow for a 60-day comment period, potentially reach a broader audience than the Guidance for Governors or Policy Statement options, and allow for consideration of public comments in the development of the proposed rule. Such a process would also importantly provide a forum for airing of the policy issues associated with storage for periods of time beyond five years and provide a definitive basis for safety or environmental requirements for longer term storage.
- b. The proposed rulemaking process would provide opportunity for States and compacts to provide input on the regulatory process to be used by NRC in dealing with issues involving waste possession by States and disposal of stored waste.

Rulemaking at this time would likely not be able to cover all possibilities which may occur over the next several years, such as the results of recent State challenges to the Act or future State activities to address their responsibilities under the Act. A rulemaking could also inappropriately limit the options of NRC in dealing with future waste storage and disposal scenarios. Given the complexity and uncertainties in the program, many scenarios are possible. It would also be difficult to initiate such rulemaking without appearing to impact upon the 1993 and 1996 deadlines of the LLRWPA. Codifying requirements could be construed as establishing new deadlines beyond 1996. Such requirements would allow States to continue to store LLW without having to establish final disposal capacity. This rulemaking would likely have to address NRC's confidence in the ability of licensees or States to safely store waste for long or indefinite periods of time, which could be construed as undermining the LLRWPA. Such action could delay some States in making progress in the siting, construction, and operation of disposal facilities. Finally, existing guidance for interim short-term storage by reactor and non-reactor licensees is adequate and the need for additional guidance involving storage for longer, more indefinite periods of time can be addressed as needs are identified.

ENCLOSURE 2

2. Guidance for Governors

NRC would issue guidance to the Governors, as issues and needs are identified. The guidance would be transmitted by letter, with attachments, and signed by the Office Director, EDO, or Chairman as determined by the significance and magnitude of the issues being addressed. Initial guidance would be sent to the Governors in a letter signed by the Chairman. It would address the various regulatory and technical considerations associated with the title transfer and possession provisions of the LLRWPA with particular emphasis on storage. It would include copies of the current guidance documents and regulations NRC would apply in the licensing of storage. Such an approach was followed by NRC in the issuance of guidance for the Governors' certifications. The letter, being signed by the Chairman, would communicate a Commission level position on how NRC intends to facilitate the goal set by Congress in the LLRWPA. This alternative would also enable NRC to continue to monitor national progress in the development of new disposal capacity and to develop and issue additional guidance as needs are identified. This alternative would not, however, formally codify in a rule NRC's position or the requirements NRC would apply for issuing a license to a state for possession and storage of LLW beyond the 1996 deadline.


3. Policy Statement

NRC would publish a policy statement providing information similar to that provided in item 2 above. It would note NRC recognizes that licenses authorizing storage for limited periods of time (i.e., five years or less) and for very limited periods of time beyond 1996 may be necessary while new disposal capacity is developed. This statement would emphasize NRC's concerns regarding the States' commitment to disposal and problems with longer term storage of LLW. A policy statement will communicate a Commission level position on how NRC intends to facilitate the goal set forth by Congress in the LLRWPA. However, a policy statement would not codify NRC's position or the requirements NRC would apply for issuing a license to a State for possession and storage of LLW beyond the 1996 deadline. A policy statement may also be more time intensive and difficult to develop than a letter to the Governors. It may also be a more difficult mechanism in which to present positions that require subtle discussion and treatment such as the timeframe over which NRC will authorize storage after 1996. A policy statement may also demand a more detailed and immediate resolution of a broader range of issues involving storage at a time when such action could possibly limit or constrain future options.

4. No Action

NRC would take no action at this time, but rather would continue to monitor States' progress in establishing new disposal capacity and would react to specific circumstances demanding NRC action such as issuance of licenses to possess and store LLW. States failing to develop disposal capacity may turn to the waste generators to store their waste, pending development of a disposal facility. In such instances, NRC would apply existing guidance, assess the need for additional guidance and address individual licensee requests on a case-by-case basis to satisfy public health and safety considerations. It is difficult to predict accurately all possible scenarios of this nature. The main advantages of the no action approach are that no additional NRC resources are required at this time and the staff has flexibility to address each situation as it believes is appropriate. The major disadvantage to this course of action is that taking no action does not make known or emphasize NRC's policy and existing guidance and may place the agency in the position of reacting to regulatory questions rather than pro-actively addressing them.

ENCLOSURE 3



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

The Honorable Rose Mofford
Governor of Arizona
State House
Phoenix, Arizona 85007

Dear Governor Mofford:

This letter is a follow on to Robert M. Bernero's February 10, 1989, letter that provided you with guidance and other relevant information to assist your State in meeting the 1990 milestone requirements of the Low-Level Radioactive Waste Policy Amendments Act (LLRWPA) of 1985.

The LLRWPA sets forth milestones, incentives, and penalties designed to ensure that States or regional compacts achieve the goal of development of new disposal capacity for all LLW generated within their borders. If a region or a non-member State of a compact cannot provide for the disposal of its waste after January 1, 1993, any generator in that region or State may request that the State in which the generator is located take title to and possession of the waste or assume liability for the failure to do so. Alternatively, a State may elect not to take legal responsibility with the consequence being that generators are repaid a part of the surcharges that were collected earlier. At the final milestone, January 1, 1996, States are required to provide disposal capacity or to assume title to and take possession of LLW generated within their borders, on proper notice by generators or owners.

The transfer to States of the title to LLW, and the possible assumption of possession of that waste, raise certain regulatory issues. With respect to title transfer, applicable NRC regulations (Title 10, Code of Federal Regulations, Parts 30, 40, and 70) contain a general license authorizing any person, including a State, to be an owner of (i.e., take title to) radioactive materials. Thus, the legal formality of States taking title to LLW for storage will focus on the laws of the various States pertaining to transfer of ownership of personal property. Consequently, there are no significant health and safety regulatory issues germane to NRC for the transfer of title for LLW to the States. Possession of LLW, however, will require a specific license from either NRC or an Agreement State before a State can take possession of the waste.

I am therefore enclosing the regulations, 10 CFR Parts 30, 40, and 70, and four NRC guidance documents on interim LLW storage for fuel cycle and materials licensees and for power reactors for your information and use. In addition, I am enclosing an assessment prepared for NRC by the Brookhaven National Laboratory of technical problems attendant to the extended storage of LLW. We would be pleased to answer any questions you may have on the management and disposal of LLW or, if you are an Agreement State, to assist in answering any questions your Agreement State regulatory agency may have.

If you expect to take possession of LLW in 1993, you should plan on filing an application within twelve months of that date. If you plan on relying on generators to store waste and they have concluded amendment of their NRC license is required to cover such storage, they should similarly apply for license amendment within twelve months of 1993. NRC will review each application following the enclosed guidance and will authorize storage for a single five year period. Longer term LLW storage in excess of five years has been discouraged by the Commission in support of national policy, to reduce radiation exposures to personnel and to assure control of radioactive material. Thus, storage for a longer period of time may be subject to safety controls that go beyond the measures identified in the enclosed guidance for periods up to five years. This should be a consideration in your planning if you expect to take title and possession of LLW in 1996 which may have already been stored several years.

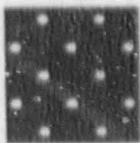
Should you or your staff have questions regarding the information contained here or should you wish to consult with us, please contact Richard L. Bangart, Director, Division of Low-Level Waste Management and Decommissioning. Mr. Bangart can be reached at (301) 492-3340.

Sincerely,

Kenneth M. Carr

Enclosures:

1. 10 CFR Parts 30, 40,
and 70
2. NRC Information
Notice No. 90-09
3. NRC Information
Notice No. 89-13
4. Generic Letter 85-14
5. Generic Letter 81-38
6. NUREG/CR-4062



LLW
FORUM

October 23, 1990

Kenneth Carr
Chairman
Nuclear Regulatory Commission
Mail Stop MS-16-G15
Washington, District of Columbia 20555

Dear Chairman Carr:

On Friday, October 19, NRC representatives discussed the status of the development of NRC's policy on interim storage with Low-Level Radioactive Waste (LLW) Forum Participants. At the end of the presentation, the LLW Forum unanimously passed the following resolution:

that a letter be sent on the Forum's behalf to U.S. Nuclear Regulatory Commission Chair Kenneth Carr asking that copies be made available as soon as possible to Forum Participants of a paper prepared by NRC staff for the Commission - the paper addresses issues associated with the transfer of title and possession of low-level radioactive waste to states in 1993 and 1996 as provided for in the 1985 Amendments Act; and

that the paper be made available prior to the "Briefing on Issues Raised by the Provision Requiring Title Transfer of Low-Level Waste" which is scheduled at 10:00 am on October 29, 1990 and at which time the paper will be formally presented to the Commission; and

that the NRC seek direct input from state and compact representatives collectively through the Forum prior to finalization of any NRC decision regarding title and possession and interim storage of low-level radioactive waste; and

that in the future the Forum be provided an early opportunity for formal input when papers and documents of this nature are being developed.

*Low-Level
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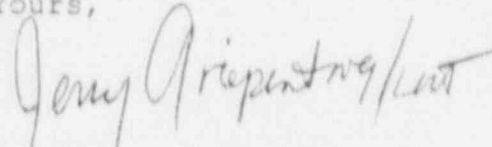
Kenneth Carr
October 23, 1990
Page Two

During the Forum discussion, state and compact representatives expressed interest in commenting on the issues which will be addressed by the Commission at the October 29 NRC briefing. The ability of state and compact representatives to offer informed comments may be contingent on the early availability of the paper. In any case, I request that time be made available in the event that state and compact officials have comments on this important issue.

It is evident that Forum Participants - official representatives appointed by Governors and Compact Commissions - are very concerned about issues involving interim storage of commercial low-level radioactive waste. While the Forum acknowledges past notifications by NRC of its intention to address title and possession and interim storage issues, the thrust of the Forum motion is to encourage NRC staff and the Commission itself to seek formal input from the Forum throughout the process of developing information on issues as vital to progress under the Amendments Act as interim storage policy.

As I will be unavailable until the middle of November, please contact Afton Associates, Inc. - the management firm for the Low-Level Radioactive Waste Forum - if you require any additional information on this matter. We look forward to an immediate response to this urgent state and compact request.

Yours,



Jerry Griepentrog
Convener, LLW Forum

Director, Department of Human
Resources, State of Nevada

Chair, Rocky Mountain Low-Level
Radioactive Waste Compact Board

10/23/90

approved by the Forum Executive Committee
in the absence of the Forum Convener

cc: LLW Forum Participants