

The Honorable Beverly A. Hollingworth
State of New Hampshire
House of Representatives
209 Winnacunnet Road
Hampton, New Hampshire 03842

WM-3
PDR
(Return to WM, 623-SS)

FEB 10 1983

Dear Ms. Hollingworth:

Your letter to Peter Loysen has been referred to the Nuclear Regulatory Commission's (NRC) Division of Waste Management for response. Your questions deal with a State's statutory authority to impose certain restrictions on low-level radioactive waste shipment and disposal. To give you one view on these issues, I have enclosed two memoranda that present legal opinions of the NRC's Office of the Executive Legal Director. We would also suggest that you seek counsel from your Office of the State Attorney General.

At your request, I have also enclosed a copy of 10 CFR Part 61, the recently issued Federal regulations applicable to low-level waste disposal, as well as the National Low-Level Radioactive Waste Policy Act of 1980. If you have questions about this material or require more assistance, you or your staff, please feel free to contact Mary Jo Seemann of my staff at (301) 427-4647. Additionally, Faith Brenneman is the NRC Regional Liaison Officer for your State, and she can be reached at (215) 337-1216.

Original Signed by
Robert E. Browning

Robert E. Browning, Acting Director
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

Enclosures:

- 1. July 15, 1980 Memo from Shapar to Dircks re: "State Ability to Prohibit Disposal..."
- 2. May 13, 1980 Memo from Shapar to Dircks re: "Answers to Legal Questions of LLW"
- 3. 10 CFR Part 61 regulations
- 4. National Low-level Radioactive Waste Policy Act of 1980

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cc: Faith Brenneman, Region I

"No legal objection"*

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