



26 April 1994

Mr. Charles Haughney
Chief, Storage and Transportation Branch
Nuclear Regulatory Commission
Mail Stop 6H3
Washington D. C. 20555

SENATOR CHARLES K. SCOTT
Vice President
Senate District 30 - Natrona County
5405 Bates Creek Road
Casper, Wyoming 82604-1101
Committees:
Labor, Health & Social
Services, Chairman
Rules and Procedure
Management Council

Dear Mr. Haughney:

I am writing because a private firm, New Corporation of Riverton, Wyoming is proposing a private Monitored Retrievable Storage Facility (MRS) for spent nuclear fuel. The facility would be located on private land near Shoshoni, Wyoming which means that it would be either in or very close to my Senate District. I have some questions I would like to get you to answer:

1. My understanding is that such a facility would need a license or permit from the Nuclear Regulatory Commission to construct and operate such a facility. Is that correct? Would your office be responsible for evaluating such an application?
2. If your office would be responsible for such a license, have you received any application or formal inquiry from New Corporation?
3. Our state laws are currently largely silent on such a facility as this is something new to us. We may need to consider legislating on such a facility. Is there a chance that federal law would preempt state law particularly on issues of whether or not the facility was allowed at all and what technical requirements would be imposed to ensure safety?

I would also appreciate any information you could send on your basic permitting process and on the whole question of Monitored Retrievable Storage.

Sincerely,

Charles K. Scott

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CKS/aa