



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

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MAY 14 1980

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Macy
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MEMORANDUM FOR: Chairman Ahearne
Commissioner Gilinsky
Commissioner Kennedy
Commissioner Hendrie
Commissioner Bradford

FROM: Carlton Kammerer, Director
Office of Congressional Affairs

SUBJECT: UDALL COMMITTEE HEARINGS ON H.R. 6390

On May 12, the Subcommittee on Energy and the Environment held a fourth day's hearing on H.R. 6390, Atomic Energy Act Amendments of 1980. Appearing before the Subcommittee were Representative Daniel Akaka (D-Hawaii), John Macy of FEMA and Robert Newman of the American Institute of Chemical Engineers.

In opening, Chairman Udall expressed his hope that H.R. 6390 would enjoy a broad-based support by the end of the summer, indicating that the conference on the FY'80 NRC authorization had provided policy reforms on siting, emergency planning, and "increased civil penalties and other deterrents to violation of NRC safety regulations." This tends to narrow the range of issues covered by H.R. 6390. Chairman Udall expressed hope that the Subcommittee would report a legislative package on 1) the authority of the Commission to issue new licenses, 2) nuclear waste management, 3) Price-Anderson reform, 4) the role of the States in the nuclear regulatory process and, 5) the institutional relationship between NRC and FEMA.

Representative Akaka began testimony before the Subcommittee by expressing concern that the Pacific Basin might be used as a repository for nuclear wastes. A copy of Representative Akaka's testimony is attached.

John Macy of FEMA testified next describing FEMA's past and present efforts in emergency planning and expressed his support for legislative action which specifies, by statute, responsibility for State and local emergency response plans. He indicated that FEMA was considering submitting legislative proposals to provide FEMA with such authority. He also favored legislation which would clarify the relationship between FEMA and NRC. A copy of Mr. Macy's testimony is enclosed.

The final witness was Robert I. Newman. Mr. Newman was critical of the long lead times predicted for establishing regulations for high-level waste repositories then licensing these repositories. He urged the

Subcommittee to hold to the timetable in H.R. 6390 which requires the NRC and EPA to implement regulations for high level wastes. Mr. Newman also suggested that Congress consider remuneration to communities near repositories. A copy of Mr. Newman's testimony is enclosed.

Enclosures:

As stated

cc: OGC
OPE
SECY
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MPA
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HONORABLE DANIEL K. AKAKA

SUBCOMMITTEE ON ENERGY AND THE ENVIRONMENT

MAY 12, 1980

MR. CHAIRMAN, MEMBERS OF THE SUBCOMMITTEE. I WOULD LIKE TO COMMEND YOU FOR YOUR LEADERSHIP AND THE MANNER IN WHICH YOU HAVE CHOSEN TO REVIEW AND DEBATE THE DEVELOPMENT OF A DOMESTIC NUCLEAR WASTE MANAGEMENT POLICY. THANK YOU FOR THE OPPORTUNITY TO ADD SOME OF MY THOUGHTS TO THIS PROCESS.

MY PARTICULAR INTEREST REVOLVES AROUND THE IMPACT OF DOMESTIC NUCLEAR WASTE MANAGEMENT GIVEN OUR COMMITMENT TO MEETING NUCLEAR NON-PROLIFERATION OBJECTIVES IN THE INTERNATIONAL ARENA. THE U.S. RESOLVE TO DEVELOP SHORT-TERM AND PERMANENT STORAGE FOR HIGH LEVEL WASTES WILL AFFECT OUR NEGOTIATIONS AIMED AT DELAYING THE PLANS OF MANY COUNTRIES TO REPROCESS SPENT FUEL. ALTHOUGH A RECENT TWO-YEAR INTERNATIONAL STUDY FORECAST AN INCREASE IN REPROCESSING AND THE USE OF THE PLUTONIUM FUEL CYCLE, THE MANNER IN WHICH THE U.S. CHOOSES TO UTILIZE NUCLEAR POWER AND DISPOSE OF NUCLEAR WASTES WILL HAVE A PROFOUND AFFECT UPON THE WORLD.

IN HAWAII, AS THROUGHOUT THE PACIFIC BASIN, WE ARE VERY CONCERNED WITH THE WASTE MANAGEMENT POLICIES OF COUNTRIES SUCH AS JAPAN, TAIWAN, SOUTH KOREA, AND THE PHILLIPPINES. THIS CONCERN FIRST SURFACED WITH THE INFORMATION THAT SHIPS CARRYING SPENT FUEL WERE TRAVELING THROUGH THE PACIFIC FROM JAPAN TO BE REPROCESSED.

LATER, WE WERE ADVISED THAT THE U.S. IN AN ATTEMPT TO DELAY REPROCESSING HAD BEGUN PRELIMINARY INQUIRIES INTO THE SHORT-TERM STORAGE OF SPENT FUEL IN AN AREA OF THE PACIFIC UNDER INTERNATIONAL CONTROL. THE U.S. WILL SOON COMPLETE NEGOTIATIONS WITH JAPAN TO ENTER INTO A JOINT STUDY OF INTERIM STORAGE OF SPENT FUEL. THAT STUDY DOES NOT IMPLY ANY COMMITMENT ON THE PART OF JAPAN TO DISCONTINUE ITS PLANS FOR REPROCESSING.

IN DECEMBER, A FIELD HEARING OF THIS COMMITTEE WAS CONDUCTED BY CONGRESSMAN PHIL BURTON IN HAWAII ON THE INTERIM STORAGE OF SPENT FUEL IN THE PACIFIC. THE MOOD OF THE PEOPLE TESTIFYING WAS SKEPTICAL AND EVIDENCED A GREAT DEAL OF MISTRUST. UNDERSTANDABLY, THE FEAR IS THAT THE PACIFIC WILL BE THE DUMPING GROUND FOR NUCLEAR WASTES PRODUCED BY THE REST OF THE WORLD.

IT IS CLEAR THAT WE IN THE PACIFIC DO NOT WANT TO BE THE LABORATORY FOR EXPERIMENTS IN INTERIM STORAGE. ISN'T IT POSSIBLE THAT INTERIM STORAGE COULD BECOME PERMANENT AND THEN MAY BE ABANDONED AS COUNTRIES CARRY OUT THEIR PLANS TO GENERATE ENERGY THROUGH THE PLUTONIUM FUEL CYCLE? WHAT AFFECT WOULD THIS HAVE ON HEALTH, SAFETY, AND THE ENVIRONMENT OF THE PACIFIC?

THESE ARE HARD QUESTIONS. THERE ARE NO QUICK AND EASY ANSWERS. THE SOCIAL AND POLITICAL BARRIERS TO EFFECTIVE WASTE MANAGEMENT ARE CONSIDERABLE BOTH AT HOME AND ABROAD. IN CONGRESS, WE ARE MOVING AHEAD TO ATTACK OUR WASTE PROBLEMS AT HOME. HOWEVER, AS WE DO SO, WE MUST REMEMBER HOW OUR DECISIONS WILL AFFECT WASTE MANAGEMENT POLICY THROUGHOUT THE WORLD.

AGAIN, THANK YOU, MEMBERS OF THE SUBCOMMITTEE FOR YOUR FORTHRIGHT CONSIDERATION OF THIS MOST DIFFICULT ISSUE.