



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

November 30, 1979

MEMORANDUM FOR: Thomas A. Rehm, EDO
FROM: *AYL* Sheldon L. Trubatch, OGC
SUBJECT: COMMENTS ON H.R. 5819

The Chairman of the House Committee on Interstate and Foreign Commerce has requested the Commission's comments on H.R. 5819, a bill which would authorize the Department of Energy to establish regional sites for the disposal of low-level radioactive waste. The bill would require the Secretary of Energy to work with States in which repositories would be located and to obtain NRC operating licenses. I would appreciate comments - especially from NMSS, State Programs and ELD - by December 14, 1979.

Attachment as stated

TO: <i>Trubatch</i>		ACTION CONTROL		ES	CONTROL NO. <i>07913</i>
TO: <i>John</i>		COMPL DEADLINE		<i>12-14-79</i>	
		ACKNOWLEDGMENT			DATE OF DOCUMENT
		INTERIM REPLY			<i>11-14-79</i>
		FINAL REPLY			PREPARE FOR SIGNATURE OF:
		FILE LOCATION			<input type="checkbox"/> CHAIRMAN
					<input type="checkbox"/> EXECUTIVE DIRECTOR
					OTHER: <i>circis</i>
DESCRIPTION <input type="checkbox"/> LETTER <input type="checkbox"/> MEMO <input type="checkbox"/> REPORT <input type="checkbox"/> OTHER		SPECIAL INSTRUCTIONS OR REMARKS			
<p>Req. comments on H. R. 5819, a Bill which would authorize DOE to establish national sites for the disposal of low-level radioactive waste</p>		<p>ELD & SP provide input to WSS.</p> <p>CLOSED 2/12/80. ANSWER INCLUDED IN EDO 2027. TRUBATCH ON DISTRIBUTION OF EDO 2027.</p>			
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		<i>Ryan</i>		NO LEGAL OBJECTIONS NOTIFY:	
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				EXT. _____	
				COMMENTS, NOTIFY:	
				EXT. _____	
JCAE NOTIFICATION RECOMMENDED:				<input type="checkbox"/> YES <input type="checkbox"/> NO	

NRC FORM 232
(11-75)

EXECUTIVE DIRECTOR FOR OPERATIONS

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PRINCIPAL CORRESPONDENCE CONTROL

96TH CONGRESS
1ST SESSION

H. R. 5819

To provide for research, development, and demonstration of the safe and permanent disposal of low-level radioactive wastes from hospitals, medical schools, research facilities, nuclear powerplants, and other sources.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 1979

Mr. McCORMACK introduced the following bill; which was referred jointly to the Committees on Science and Technology, Interior and Insular Affairs, and Interstate and Foreign Commerce

A BILL

To provide for research, development, and demonstration of the safe and permanent disposal of low-level radioactive wastes from hospitals, medical schools, research facilities, nuclear powerplants, and other sources.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Low-Level Radioactive
4 Waste Storage and Technology Demonstration Act of
5 1979".

6 FINDINGS

7 SEC. 2. The Congress finds that—

1 (1) there is a critical shortage of low-level radio-
2 active waste disposal sites throughout the country;

3 (2) without a safe mechanism for disposing of low-
4 level radioactive wastes, hospitals, medical schools, re-
5 search facilities, nuclear powerplants, and other facili-
6 ties will be forced to cease the operations that generate
7 this waste;

8 (3) the continued use of radioactive medicines, and
9 other forms of nuclear technology which generate low-
10 level radioactive wastes, is essential to the national se-
11 curity of the United States and to the health, safety,
12 and welfare of its citizens;

13 (4) the need for low-level radioactive waste dis-
14 posal sites is regional in nature;

15 (5) the geology and hydrology of the various re-
16 gions of the country may differ significantly;

17 (6) different technologies and methods may have
18 to be developed for the sites involved so that low-level
19 radioactive wastes can be disposed of safely; and

20 (7) a national program is needed to research, de-
21 velop, and demonstrate the safe disposal of low-level
22 radioactive wastes in the several regions of the Nation.

23 PURPOSE

24 SEC. 3. It is the purpose of this Act to establish Federal
25 low-level radioactive waste disposal sites in various regions

1 of the country to demonstrate that the technology exists to
2 dispose safely of low-level radioactive wastes in each region,
3 and to provide for the performance of research aimed at con-
4 tinually improving the techniques and methods of disposal.

5 ESTABLISHMENT OF LOW-LEVEL RADIOACTIVE WASTE
6 REPOSITORIES

7 SEC. 4. (a) As soon as practicable but not later than six
8 months after the date of the enactment of this Act, the Secre-
9 tary of Energy (subject to subsection (c)) shall establish, op-
10 erate, and maintain at least nine but no more than fourteen
11 low-level radioactive waste repositories located at appropri-
12 ate sites in the continental United States on property owned,
13 purchased, or otherwise acquired by the United States
14 Government.

15 (b) To the maximum extent practicable, the Secretary
16 shall work with the individual States where such repositories
17 are to be located, so that the concerns of such States are
18 appropriately addressed.

19 (c) The Secretary shall obtain an operating license from
20 the Nuclear Regulatory Commission, pursuant to chapters 6,
21 7, 8, and 10 of the Atomic Energy Act of 1954, prior to
22 operating any repository authorized by this Act.

23 (d) The Secretary shall make each repository established
24 under this Act available for the storage of all low-level radio-
25 active wastes which are generated or used in the region

1 served by such repository and which are disposable as such in
2 accordance with Federal law.

3 (e) The Secretary shall recover all of the costs of operat-
4 ing and maintaining the repositories established under this
5 Act from fees charged for the disposal of low-level radioac-
6 tive wastes in or by such repositories.

7 (f) The Secretary shall determine the location and exact
8 number of the repositories established under this Act with the
9 goal of minimizing the distance that low-level radioactive
10 wastes will have to be transported for disposal.

11 (g) The Secretary shall establish at the repositories es-
12 tablished under this Act, or at other locations, a program of
13 research and development associated with new and improved
14 techniques and methods for the concentration, solidification
15 and safe storage of low-level radioactive wastes and their
16 residues; and for other appropriate purposes.

17 AUTHORIZATION OF APPROPRIATIONS

18 SEC. 6. There are hereby authorized to be appropriated
19 to the Secretary of Energy such sums as may be necessary to
20 carry out the purpose of this Act.