

January 5, 2000

MEMORANDUM TO: William D. Travers
Executive Director for Operations

FROM: Annette Vietti-Cook, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - SECY-99-272 - AGREEMENT STATE COMPATIBILITY FOR
CRITICALITY REQUIREMENTS APPLICABLE TO LOW-LEVEL WASTE DISPOSAL FACILITIES

The Commission has disapproved the staff's proposal to revise the compatibility of [10 CFR 61.16\(b\)\(2\)](#) from category *NRC* to category *Health and Safety* and finalize the emplacement criticality guidance on the grounds that such actions are unnecessary for adequate protection of public health and safety.

The Commission does not believe there is a need for Staff to continue to analyze the potential for accidental criticality resulting from waste emplacement at a low level waste repository which meets the requirements for [10 CFR Part 61](#).

cc: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
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