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

December 1, 1988

MEMORANDUM FOR: Victor Stello, Jr.  
Executive Director for Operations

FROM: Samuel J. Chilk, Secretary

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION /DISCUSSION  
AND VOTE, 11:30 A.M., WEDNESDAY , NOVEMBER  
23, 1988, COMMISSIONERS' CONFERENCE ROOM,  
ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND  
(OPEN TO PUBLIC ATTENDANCE)

I. SECY-88-298 Final Rule -- 10 CFR Part 62, "Criteria and  
Procedures for Granting Emergency Access to Non-Federal and  
Regional Low-Level Waste Disposal Facilities"

The Commission, by a 5-0 vote, approved a new Part 62 to Title  
10 of the Code of Regulations which establishes criteria and  
procedures to be used by the NRC in determining whether  
emergency access should be granted to operating non-Federal  
low-level radioactive disposal facilities under the Low-Level  
Radioactive Waste Policy Amendments Act of 1985.

The FRN should be forwarded for signature and publication.  
(EDO) (SECY Suspense: 12/5/88)

The staff should inform the Commission when a written agreement  
is reached with the Department of Defense (DOD) and the  
Department of Energy (DOE) that the appropriate agency will  
issue a statement of support if the request for emergency  
access is made on the basis of a threat posed to the common  
defense and security.

The Senate Committee on Energy and Natural Resources and the  
Senate Committee on the Judiciary also should be informed of  
this action since they participated in the development of the  
Low-Level Waste Act.

cc: Chairman Zech  
Commissioner Roberts

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Commissioner Carr  
Commissioner Rogers  
Commissioner Curtiss  
OGC  
GPA  
PDR - Advance  
DCS - P1-124