

106.1/CR/85/09/17

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SEP 20 1985

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Mr. Patrick D. Spurgin, Director  
High-Level Nuclear Waste Office  
355 West North Temple  
3 Triad Center, Suite 330  
Salt Lake City, UT 84180-1203

WM Record File

WM Project 16

Docket No.

PDR

LPDR

Distribution:

JGorn

Dear Mr. Spurgin:

This is in response to your letter of September 4, 1985, regarding state participation in the Nuclear Regulatory Commission's (NRC) high-level waste management program. As you know, we held a series of meetings with representatives of the first round potential host states and affected Indian tribes to discuss interactions on the major NRC milestones identified for the Department of Energy's (DOE) Project Decision Schedule (PDS). This was so that we could factor into our planning some general schedule allowances for working with the states and Indian tribes. When you met with us on July 8, 1985, you indicated that you needed some additional time to think about the type of interactions Utah would be interested in having with NRC. At the July 8 meeting, you indicated you would follow up with a written letter laying out the State's preferences in more detail. Although we did not receive your follow-up letter, we did take some internal actions as a result of our meetings with you and the other states and Indian tribes.

In the comments we expect to forward to DOE on the PDS, with the approval of the Commission itself, we have factored in an additional two weeks in our schedule for interactions with the states and Indian tribes on the major NRC milestones identified for the PDS. In addition, we have developed an internal NRC policy which commits us to provide at least 10 working days of advance notice and distribution of pertinent material to the states and Indian tribes for their full participation in NRC/DOE meetings pertaining to the high-level waste repository program. When the meeting involves discussion of new substantive documents, we will provide notification and material four weeks prior to the meeting.

Pursuant to our own regulations, 10 CFR Part 60, Subpart C, "Participation by State Governments and Indian Tribes," as a potential host state, you are both entitled and encouraged to consult with us on any NRC high-level waste management document or activity. We would be happy to meet with you again to discuss the nature of the participation the State of Utah is interested in regarding NRC NWPA activities.

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PDR WASTE PDR  
WM-16

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NAME	: CRussell:dh	: DMattson	: JOBunting	:	:	:	:
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We feel we have taken the initiative in providing for state and tribal participation in our NWPA program. However, we are always open to suggestions and constructive criticism about how the process could be improved.

We look forward to hearing from you.

Sincerely,

**Original Signed By:**

Joseph O. Bunting, Chief  
Policy and Program Control Branch  
Division of Waste Management

OFC : WMPC	: WMPC <i>dm</i>	: WMPC <i>B</i>	:	:	:	:
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