



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

WM- 10
PDR
(Return to WM, 623-SS)

NOV 15 1982

WMPI: WM-10 (101.3) + (101.4)

MEMORANDUM FOR: See Attached Distribution

FROM: Joseph O. Bunting, Jr., Chief
Licensing Process and Integration Branch
Division of Waste Management, NMSS

SUBJECT: LETTERS REGARDING TRANSMITTAL OF SCR

We are enclosing a copy of the letter we sent to Governor Spellman of Washington State forwarding the Site Characterization Report (SCR) and notifying him of NRC's role in the site characterization process (Enclosure 1). Similar letters were sent to State, local, and tribal officials, as indicated in Enclosure 2. If you need a copy of any of these other letters, please let me know.

Joseph O. Bunting, Jr., Chief
Licensing Process and
Integration Branch
Division of Waste Management, NMSS

Enclosures:

- (1) Letter to Gov. Spellman
- (2) List of addressees

NOV 15 1982

WMPI: 409-53
wm-10 (101.3)

MEMORANDUM FOR: See Attached Distribution

FROM: Joseph O. Bunting, Jr., Chief
Licensing Process and Integration Branch
Division of Waste Management, NMSS

SUBJECT: LETTERS REGARDING TRANSMITTAL OF SCR

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for John J. Surmeier
Joseph O. Bunting, Jr., Chief
Licensing Process and
Integration Branch
Division of Waste Management, NMSS

Enclosures:

- (1) Letter to Gov. Spellman
- (2) List of addressees

Distribution: See attached

OFC	: WMPI <i>JS</i>	:	:	:	:	:	:
NAME	: JBunting:lw	:	:	:	:	:	:
DATE	: 82/11/10	:	:	:	:	:	:

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Supp H-21
orig. memo to DGE

SPELLMAN LTR

- 1 -

NOV 15 1982

The Honorable John Spellman
Governor of Washington
Legislative Building
Olympia, WA 98504

Dear Governor Spellman:

The U.S. Department of Energy (DOE) has submitted to the U.S. Nuclear Regulatory Commission (NRC) a Site Characterization Report (SCR) for a candidate high-level waste repository on the Hanford Reservation near Richland. Under our repository licensing rule, codified as Chapter 10, Part 60 of the Code of Federal Regulations (10 CFR 60), submittal of the SCR constitutes formal notification to NRC that DOE is considering a site as a candidate for which it may apply to NRC for authorization to construct a repository. NRC is notifying the public and certain State, local and tribal officials that the SCR has been received and NRC staff has begun to review it. A copy of the SCR is enclosed. We have submitted to the Federal Register a notice to the public that we have received the SCR, and a copy of this notice as submitted is also enclosed. We are awaiting its publication, and will be sending a copy as it appears in the Federal Register as soon as it is published.

In addition to the SCR itself, we have enclosed for your reference a copy of the procedural portion of the 10 CFR 60 repository licensing rule. You will note that while site characterization is an important step toward the selection of the first site for licensing, DOE's activities at Hanford will not necessarily result in either DOE's selection or NRC's licensing of that site. NRC's 10 CFR 60 procedural rule requires DOE to characterize at least three sites for possible licensing, and DOE has indicated that it also has ongoing studies of sites for possible characterization in Louisiana, Mississippi, Nevada, Texas, and Utah.

The 10 CFR 60 procedures also contain provisions for participation by the potential host and adjacent States and other potentially affected States and Indian tribes in certain aspects of our licensing reviews. These procedures require the NRC to make its staff available to keep the State informed of our views on the progress of site characterization and assist the State in developing any proposal to participate. The purpose of this letter is to bring these matters to your attention.

On November 15, NRC responded to a request by the Washington State High-Level Nuclear Waste Management Task Force by providing a briefing on

*See Previous page for concurrences.

OFC	:WMPi*	:WMPi	:WMHT*	:OSP/ELD	:WM	:NMSS	:NMSS
NAME	:RDMac/JJSur	:JOBunting	:HMiller	:Young/Dorian	JMartin	:DMAusshardt	:JDavis
DATE	:82/11/12	:82/11/	:82/11/09	:82/11/10	:82/11/	:82/11/	:82/11/

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NRC's high-level waste program activities. We understand that this Task Force, established by executive order, includes State legislative representatives appointed by the legislative leadership and was created to represent the State in coordinating with all Federal agencies on high-level radioactive waste activities.

We hope that the attached material on NRC's review process will be helpful. For your information, a similar letter is being sent to the presiding officers and minority leaders of both houses of the legislature, and the Chairman of the State High-Level Nuclear Waste Management Task Force. So that you know how we plan to work with the States adjacent to Washington, we have also included copies of our letters to Governor Atiyeh and Governor Evans. We look forward to a mutually productive relationship with the State of Washington.

Sincerely,

(Signed) John G. Davis
John G. Davis, Director
Office of Nuclear Material
Safety and Safeguards

Enclosures:

1. Site Characterization Report (SCR)
2. Notice of Receipt of SCR as submitted to
Federal Register
3. Procedural Portion of 10 CFR 60 Rule
4. Letter to Governor Atiyeh
5. Letter to Governor Evans

*See Previous page for concurrences.

Per telecon

OFC	: WMPI*	: WMPI <i>B</i>	: WMHT*	: OSP/ELD	: WM <i>W</i>	: NMSS	: NMSS
NAME	: RDMac/JJSur	: JOBunting	: HMiller	: Young/Dorian	: JMartin	: DMAusshardt	: JD <i>me</i>
DATE	: 82/11/12	: 82/11/1 <i>✓</i>	: 82/11/09	: 82/11/10	: 82/11/7	: 82/11/12	: 82/11/15

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LIST OF ADDRESSES

Mr. Nicholas Lewis
Energy Facility Site
Evaluation Council
Mail Stop PY 11
Olympia, WA 98504

The Honorable Bill Sebero
Chairman, Board of Commissioners
of Benton County
Benton County Courthouse
P.O. Box 470
Prosser, WA 99350

The Honorable John Evans
Governor of Idaho
State Capitol
Boise, ID 83720

The Honorable Victor Atiyeh
Governor of Oregon
State Capitol
Salem, OR 97310

The Honorable John Spellman
Governor of Washington
Legislative Building
Olympia, WA 98504

Mr. Wilfred Scott
Tribal Chairman
Nez Perce Tribal Executive Committee
P.O. Box 305
Lapwai, ID 83540

Mr. Elwood Tatawa
Tribal Chairman
Confederated Tribe of Umatilla
P.O. Box 638
Pendleton, OR 97801

Mr. Delbert Frank
Tribal Chairman
Confederated Tribes of the
Warm Springs Reservation
Warm Springs, OR 97761

Mr. Johnson Meninick
Tribal Chairman
Yakima Indian Nation
P.O. Box 151
Toppenish, WA 98948

Mr. Al Aubertin
Tribal Chairman
Colville Business Council
P.O. Box 150
Nespelem, WA 99155

Mr. John Samuels
Tribal Chairman
Spokane Business Council
P.O. Box 385
Wellpinet, WA 99040

The Honorable Wayne Ehlers
Washington House of Representatives
House Minority Leader
Legislative Building
Olympia, WA 98504

The Honorable William Polk
Washington House of Representatives
Speaker of the House
Legislative Building
Olympia, WA 98504

The Honorable Sam Guess
Washington Senate
Senate President Pro Tem
Legislative Building
Olympia, WA 98504

The Honorable Ted Bottiger
Washington Senate
Senate Minority Leader
Legislative Building
Olympia, WA 98504

NOV 15 1982

Mr. John W. Samuels
 Tribal Chairman
 Spokane Business Council
 P.O. Box 385
 Wellpinet, WA 99040

Dear Mr. Samuels:

The U.S. Department of Energy (DOE) is considering a site on the Hanford Reservation near Richland as a candidate site for a repository to dispose of high-level radioactive wastes. DOE will have to receive U.S. Nuclear Regulatory Commission (NRC) authorization to construct the repository, but before DOE submits an application for any site, it must conduct a program of site characterization at several sites to gather information needed for NRC licensing decisions on the ability of these sites to isolate wastes. As its formal notification that its site characterization program at Hanford is about to begin, DOE has submitted to NRC a Site Characterization Report (SCR) for the Hanford site, which DOE is calling the Basalt Waste Isolation Project (BWIP). The Report contains a description of DOE plans and activities to characterize the ability of the site to isolate high-level wastes, and NRC will be reviewing this document over the next several months.

Under our repository licensing rule, which is codified as Chapter 10, Part 60 of the Code of Federal Regulations (10 CFR 60), NRC is notifying the public and certain State, local and Indian tribal officials that the SCR has been received and NRC staff has begun to review it. A copy of the SCR is enclosed. We have submitted to the Federal Register a notice to the public that we have received the SCR, and a copy of this notice as submitted is also enclosed. We are awaiting its publication, and will also be sending a copy as it appears in the Federal Register as soon as it is published.

The purpose of this letter to you is to bring these matters to your attention and offer you the opportunity to meet with NRC staff to have us explain our review process and respond to any questions you may have about your tribe's possible role in it.

The 10 CFR 60 procedures contain provisions for participation by potentially affected Indian tribes and States in certain aspects of our review. These procedures require the NRC to make its staff available to assist such potentially affected tribes at their request to keep them

*See Previous page for concurrences.

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NOV 15 1982

informed of our views of the progress of site characterization and assist them upon request in developing any proposal to participate.

From the materials enclosed for your reference, you will note that while site characterization is an important step toward the selection of the first site for licensing, DOE's activities at Hanford will not necessarily result in either DOE's selection or NRC's licensing of that site. NRC's high-level waste procedural rule requires DOE to characterize at least three sites for possible licensing, and DOE has indicated that it also has ongoing studies of sites for possible characterization in Louisiana, Mississippi, Nevada, Texas, and Utah.

In conducting our reviews of DOE activities at the Hanford site, we will be working with Washington State government officials, and may be working with State officials designated by the Governors of the adjacent States of Idaho and Oregon. We may also be working with other tribal officials, as noted below.

In Washington State, Governor Spellman has established by executive order a State High-Level Nuclear Waste Management Task Force to be responsible for coordination with NRC and other involved Federal agencies. At the request of the Task Force, NRC has provided a briefing in Olympia on its high-level waste program activities, and we would be pleased to provide a similar briefing to you should you request it. We would also be pleased to meet with you and any other representatives of your tribe for further discussions if the tribe is interested in working with us during our reviews.

For your information, we are sending letters to the Tribal Chairmen of the Colville, Nez Perce, Spokane, Umatilla, Warm Springs, and Yakima Tribes. From our initial investigations and consultations with other agencies, we have identified these as the tribes nearest the site proposed for characterization and which may be interested in our review activities.

*See Previous page for concurrences.

OFC	:WMPPI*	:WMPPI	:WMHT*	:OSP/ELD	:WM	:NMSS	:NMSS
NAME	:RDMac/JJSur	:JOBunting	:HMiller	:Young/Dorian	JMartin	:DMAusshardt	:JDavis
DATE	:82/11/10	:82/11/	:82/11/09	:82/11/10	:82/11/	:82/11/	:82/11/

NOV 15 1982

We hope that the attached material on NRC's review process will be helpful. We look forward to hearing from you soon.

Sincerely,

(Signed) John G. Davis
John G. Davis, Director
Office of Nuclear Material
Safety and Safeguards

Enclosures:

1. Site Characterization Report (SCR)
2. Notice of Receipt of SCR as submitted to
Federal Register
3. Procedural Portion of 10 CFR 60 Rule

*See Previous page for concurrences.

OFC	:WMPI*	:WMPI <i>B</i>	:WMHT*	:OSP/ELD	:WM*	:NMSS <i>D</i>	:NMSS
NAME	:RDMac/JJSur	:JOBunting	:HMiller	:Young/Dorian	JMartin	:DMAuashardt	:JDavis <i>J</i>
DATE	:82/11/10	:82/11/1 <i>✓</i>	:82/11/09	:82/11/10	:82/11/9	:82/11/1 <i>✓</i>	:82/11/1 <i>✓</i>

SCR NON-YAKIMA MCD/1

We hope that the attached material on NRC's review process and our correspondence with other Tribes and States will be helpful. We look forward to hearing from you soon.

Sincerely,

John G. Davis, Director
Office of Nuclear Material
Safety and Safeguards

Enclosures:

1. Site Characterization Report (SCR)
2. Notice of Receipt of SCR as submitted to
Federal Register
3. Descriptive Summary of SCR Review Process
4. Procedural Portion of 10 CFR 60 Rule

DISTRIBUTION

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FYoung
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DKunihiro

DMAusshardt
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JDavis
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OFC	: WMPI	: WMPI	: WMPI	: WMHT	: OELD	: OSP	: WM
NAME	: RMacDougall	: JSurmeier	: JBunting	: HMiller	: Wolmstead	: GKerr	: JMartin
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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

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P.O. Box 385
Wellpinet, WA 99040

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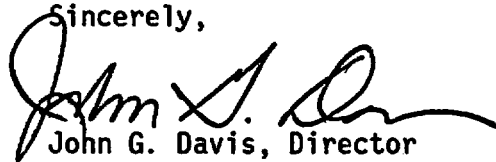
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NOV 15 1982

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Sincerely,

A handwritten signature in dark ink, appearing to read "John G. Davis", is written over the typed name.

John G. Davis, Director
Office of Nuclear Material
Safety and Safeguards

Enclosures:

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2. Notice of Receipt of SCR as submitted to
Federal Register
3. Procedural Portion of 10 CFR 60 Rule

CHAIRMAN MENINICK LETTER/DUP

- 1 -

NOV 15 1982

Mr. Johnson Meninick
 Tribal Chairman
 Yakima Indian Nation
 P.O. Box 151
 Toppenish, WA 98948

Dear Mr. Meninick:

The U.S. Department of Energy (DOE) is considering a site on the Hanford Reservation near Richland as a candidate site for a repository to dispose of high-level radioactive wastes. DOE will have to receive authorization from the U.S. Nuclear Regulatory Commission (NRC) to construct the repository, but before DOE submits an application for any site, it must conduct a program of site characterization at several sites to gather information needed for NRC licensing decisions on the ability of these sites to isolate wastes. As its formal notification that its site characterization program at Hanford is about to begin, DOE has submitted to NRC a Site Characterization Report (SCR) for the Hanford site, which DOE is calling the Basalt Waste Isolation Project (BWIP). The Report contains a description of DOE's plans and activities to characterize the ability of the site to isolate high-level wastes, and NRC staff will be reviewing it over the next several months.

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The 10 CFR 60 procedures contain provisions for participation by the potentially affected Indian tribes and States in certain aspects of our review. These procedures require the NRC to make its staff available to assist such tribes at their request to keep them informed of our views of the progress of site characterization and assist them upon request in developing any proposal to participate.

*See Previous page for concurrences.

OFC	:WMPi*	:WMPi*	:WMHT*	:OSP/ELD*	:WM*	:NMSS*	:NMSS
NAME	:RDMac/JJSur	:JOBunting	:HMiller	:Young/Dorian	JMartin	:DMAusshardt	:JDavis
DATE	:82/11/15	:82/11/12	:82/11/09	:82/11/10	:82/11/09	:82/11/12	:82/11/

NOV 15 1982

The purpose of this letter is to bring these matters to your attention and offer you the opportunity to meet with NRC staff to have us explain our review process and respond to any questions you may have about the Yakima Tribe's possible role in it. We understand that the Yakima reservation is geographically the closest of all tribal reservations to the Hanford site. We are also aware that the Yakima Tribe has expressed concerns about the possible use of the site for a repository, both to NRC (in letters dated January 6 and 8, 1982) and to the Washington State Senate on October 20, 1982. We believe your Tribe is entitled to consultation in our reviews under Subpart C of 10 CFR 60, which sets forth the provisions for State and Tribal participation. A copy of the entire procedural portion of the 10 CFR 60 rule is enclosed.

From the 10 CFR 60 procedural rule and our notice of receipt of the SCR, you will note that while site characterization is an important step toward the selection of the first site for licensing, DOE's activities at Hanford will not necessarily result in either DOE's selection or NRC's licensing of that site. NRC's high-level waste procedural rule requires DOE to characterize at least three sites for possible licensing, and DOE has indicated that it also has ongoing studies of sites for possible characterization in Louisiana, Mississippi, Nevada, Texas, and Utah.

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*See Previous page for concurrences.

OFC	:WMPi*	:WMPi*	:WMHT*	:OSP/ELD*	:WM*	:NMSS*	:NMSS
NAME	:RDMac/JJSur	:JOBunting	:HMiller	:Young/Dorian	JMartin	:DMAusshardt	:JDavis
DATE	:82/11/15	:82/11/12	:82/11/09	:82/11/10	:82/11/09	:82/11/12	:82/11/

NOV 15 1982

- 3 -

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Sincerely,

(Signed) John G. Davis
John G. Davis, Director
Office of Nuclear Material
Safety and Safeguards

Enclosures:

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*See Previous page for concurrences.

OFC	:WMPI*	:WMPI*	:WMHT*	:OSP/ELD*	:WM*	:NMSS*	:NMSS <i>JD</i>
NAME	:RDMac/JJSur	:JOBunting	:HMiller	:Young/Dorian	JMartin	:DMAusshardt	:JDavis
DATE	:82/11/15	:82/11/12	:82/11/09	:82/11/10	:82/11/09	:82/11/12	:82/11/15

MENINICK

- 3 -

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John G. Davis, Director
Office of Nuclear Material
Safety and Safeguards

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NAME	: RDMac/JJSur	: JOBunting	: HMiller	: Young/Dorian	: JMartin	: DMausshardt	: JDavis
DATE	: 82/11/10	: 82/11/1 <i>✓</i>	: 82/11/09	: 82/11/10	: 82/11/9	: 82/11/ <i>✓</i>	: 82/11/

Dear Chairman Meninick,

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The purpose of this letter to you is to bring these matters to your attention and offer you the opportunity to meet with NRC staff to have us explain our review process and respond to any questions you may have about your Tribe's possible role in it. Since the Yakima reservation is geographically the closest of all Tribal reservations to the Hanford site, and the Yakima Tribe has expressed concerns both to NRC (in letters dated January 6th and 8th, 1982) and on October 20, 1982, to the Washington State Senate, we believe your Tribe is entitled to

no legal objections
Berman per telecom
for Director of Young

OFC : WMPI	: WMPI	: WMPI	: WMHT	: OELD	: OSP	: WM
NAME : RMacDougall	: JJSurmeier	: JOBunting	: JHMiller	: WJOldstead	: GWKerr	: JBMartin
DATE : 82/11/08	:	: 11/9	: 11/9/82	: 11/10/82	:	: 11/9/82

consultation in our reviews under Subpart C of 10 CFR 60, which sets forth the provisions for State and Tribal participation. A copy of the entire procedural portion of the 10 CFR 60 rule is enclosed.

In addition to the 10 CFR 60 procedural rule and the SCR itself, we have enclosed for your reference a brief description of our site characterization review process. You will note that while site characterization is an important step toward the selection of the first site for licensing, DOE's activities at Hanford will not necessarily result in either DOE's selection or NRC's licensing of that site. NRC's high-level waste procedural rule requires DOE to characterize at least three sites for possible licensing, and DOE has indicated that it also has ongoing studies of sites for possible characterization in Louisiana, Mississippi, Nevada, Texas, and Utah.

In conducting our reviews of DOE activities at the Hanford site, we will be working with Washington State government officials, and may be working with other officials designated by the Governors of the adjacent States of Idaho and Oregon. In Washington State, Governor Spellman has established by executive order a State High-Level Nuclear Waste Management Task Force to be responsible for coordination with NRC and other involved Federal agencies. At the request of the Task Force, NRC provided a briefing on its high-level waste program activities, and we would be pleased to provide a similar briefing to you should you request it. We would also be pleased to meet with you and any other Tribal representatives for further discussions of the Tribe's interest in working with us during our reviews.

We hope that the attached material on NRC's review process and our correspondence with other States will be helpful. We look forward to a mutually productive relationship.

John G. Davis, Director
Office of Nuclear Material
Safety and Safeguards

cc: Councilman Russell Jim

OFC	:WMP	:WMP	:WMP	:WMH	:OEL	:OSP	:WM
NAME	:RMacDougall	:JJSurmeier	:JOBunting	:HJMiller	:WJOldstead	:GWKerr	:JBMartin
DATE	:82/11/08	:	:	:	:	:	:

- 3 -

1. Site Characterization Report (SCR)
2. Notice of Receipt of SCR as sent to Federal Register
3. Descriptive Summary of SCR Review Process
4. Procedural Portion of 40 CFR 60 Rule

OFC	:WMP	:WMP	:WMP	:WMHT	:OELD	:OSP	:WM
NAME	:RMacDougall	:JJSurmeier	:JOBunting	:HJMiller	:WJOldmstead	:GWKerr	:JBMartin
DATE	:82/11/08	:	:	:	:	:	:



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

NOV 15 1982

Mr. Johnson Meninick
Tribal Chairman
Yakima Indian Nation
P.O. Box 151
Toppenish, WA 98948

Dear Mr. Meninick:

The U.S. Department of Energy (DOE) is considering a site on the Hanford Reservation near Richland as a candidate site for a repository to dispose of high-level radioactive wastes. DOE will have to receive authorization from the U.S. Nuclear Regulatory Commission (NRC) to construct the repository, but before DOE submits an application for any site, it must conduct a program of site characterization at several sites to gather information needed for NRC licensing decisions on the ability of these sites to isolate wastes. As its formal notification that its site characterization program at Hanford is about to begin, DOE has submitted to NRC a Site Characterization Report (SCR) for the Hanford site, which DOE is calling the Basalt Waste Isolation Project (BWIP). The Report contains a description of DOE's plans and activities to characterize the ability of the site to isolate high-level wastes, and NRC staff will be reviewing it over the next several months.

Under our repository licensing rule, which is codified as Chapter 10, Part 60 of the Code of Federal Regulations (10 CFR 60), NRC is notifying the public and certain State, local and Indian tribal officials that the SCR has been received and NRC staff has begun to review it. A copy of the SCR is enclosed. We have submitted to the Federal Register a notice to the public that we have received the SCR, and a copy of this notice is also enclosed. We are awaiting its publication, and will also be sending a copy as it appears in the Federal Register as soon as it is published.

The 10 CFR 60 procedures contain provisions for participation by the potentially affected Indian tribes and States in certain aspects of our review. These procedures require the NRC to make its staff available to assist such tribes at their request to keep them informed of our views of the progress of site characterization and assist them upon request in developing any proposal to participate.

NOV 15 1982

The purpose of this letter is to bring these matters to your attention and offer you the opportunity to meet with NRC staff to have us explain our review process and respond to any questions you may have about the Yakima Tribe's possible role in it. We understand that the Yakima reservation is geographically the closest of all tribal reservations to the Hanford site. We are also aware that the Yakima Tribe has expressed concerns about the possible use of the site for a repository, both to NRC (in letters dated January 6 and 8, 1982) and to the Washington State Senate on October 20, 1982. We believe your Tribe is entitled to consultation in our reviews under Subpart C of 10 CFR 60, which sets forth the provisions for State and Tribal participation. A copy of the entire procedural portion of the 10 CFR 60 rule is enclosed.

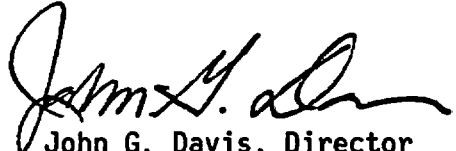
From the 10 CFR 60 procedural rule and our notice of receipt of the SCR, you will note that while site characterization is an important step toward the selection of the first site for licensing, DOE's activities at Hanford will not necessarily result in either DOE's selection or NRC's licensing of that site. NRC's high-level waste procedural rule requires DOE to characterize at least three sites for possible licensing, and DOE has indicated that it also has ongoing studies of sites for possible characterization in Louisiana, Mississippi, Nevada, Texas, and Utah.

In conducting our reviews of DOE activities at the Hanford site, we will be working with Washington State government officials, and may be working with other officials designated by the Governors of the adjacent States of Idaho and Oregon. In Washington State, Governor Spellman has established by executive order a State High-Level Nuclear Waste Management Task Force to be responsible for coordination with NRC and other involved Federal agencies. At the request of the Task Force, NRC provided a briefing on its high-level waste program activities, and we would be pleased to provide a similar briefing to you should you request it. We would also be pleased to meet with you and any other Yakima Tribal representatives for further discussions of the Yakimas' interest in working with us during our reviews.

NOV 15 1982

We hope that the attached material on NRC's review process and our correspondence with other States will be helpful. We look forward to a mutually productive relationship.

Sincerely,

A handwritten signature in dark ink, appearing to read "John G. Davis", is written over the typed name.

John G. Davis, Director
Office of Nuclear Material
Safety and Safeguards

Enclosures:

1. Site Characterization Report (SCR)
2. Notice of Receipt of SCR as sent to Federal Register
3. Procedural Portion of 10 CFR 60 Rule

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NOV 15 1982

Mr. Wilfred A. Scott
Tribal Chairman
Nez Perce Tribal Executive Committee
P.O. Box 305
Lapwai, ID 83540

Dear Mr. Scott:

The U.S. Department of Energy (DOE) is considering a site on the Hanford Reservation near Richland as a candidate site for a repository to dispose of high-level radioactive wastes. DOE will have to receive U.S. Nuclear Regulatory Commission (NRC) authorization to construct the repository, but before DOE submits an application for any site, it must conduct a program of site characterization at several sites to gather information needed for NRC licensing decisions on the ability of these sites to isolate wastes. As its formal notification that its site characterization program at Hanford is about to begin, DOE has submitted to NRC a Site Characterization Report (SCR) for the Hanford site, which DOE is calling the Basalt Waste Isolation Project (BWIP). The Report contains a description of DOE plans and activities to characterize the ability of the site to isolate high-level wastes, and NRC will be reviewing this document over the next several months.

Under our repository licensing rule, which is codified as Chapter 10, Part 60 of the Code of Federal Regulations (10 CFR 60), NRC is notifying the public and certain State, local and Indian tribal officials that the SCR has been received and NRC staff has begun to review it. A copy of the SCR is enclosed. We have submitted to the Federal Register a notice to the public that we have received the SCR, and a copy of this notice as submitted is also enclosed. We are awaiting its publication, and will also be sending a copy as it appears in the Federal Register as soon as it is published.

The purpose of this letter to you is to bring these matters to your attention and offer you the opportunity to meet with NRC staff to have us explain our review process and respond to any questions you may have about your tribe's possible role in it.

The 10 CFR 60 procedures contain provisions for participation by potentially affected Indian tribes and States in certain aspects of our review. These procedures require the NRC to make its staff available to

*See Previous page for concurrences.

Per telecon

OFC	: WMPI*	: WMPI <i>B</i>	: WMHT*	: OSP/ELD	: WM*	: NMSS	: NMSS
NAME	: RDMac/JJSur	: JOBunting	: HMiller	: Young/Dorian	: JMartin	: DMausshardt	: JDa <i>12</i>
DATE	: 82/11/10	: 82/11/1 <i>✓</i>	: 82/11/09	: 82/11/10	: 82/11/1 <i>✓</i>	: 82/11/1 <i>✓</i>	: 82/11/10 <i>✓</i>

NOV 15 1982

assist such potentially affected tribes at their request to keep them informed of our views of the progress of site characterization and assist them upon request in developing any proposal to participate.

From the materials enclosed for your reference, you will note that while site characterization is an important step toward the selection of the first site for licensing, DOE's activities at Hanford will not necessarily result in either DOE's selection or NRC's licensing of that site. NRC's high-level waste procedural rule requires DOE to characterize at least three sites for possible licensing, and DOE has indicated that it also has ongoing studies of sites for possible characterization in Louisiana, Mississippi, Nevada, Texas, and Utah.

In conducting our reviews of DOE activities at the Hanford site, we will be working with Washington State government officials, and may be working with State officials designated by the Governors of the adjacent States of Idaho and Oregon. We may also be working with other tribal officials, as noted below.

In Washington State, Governor Spellman has established by executive order a State High-Level Nuclear Waste Management Task Force to be responsible for coordination with NRC and other involved Federal agencies. At the request of the Task Force, NRC has provided a briefing in Olympia on its high-level waste program activities, and we would be pleased to provide a similar briefing to you should you request it. We would also be pleased to meet with you and any other representatives of your tribe for further discussions if the tribe is interested in working with us during our reviews.

For your information, we are sending letters to the Tribal Chairmen of the Colville, Nez Perce, Spokane, Umatilla, Warm Springs, and Yakima Tribes. From our initial investigations and consultations with other agencies, we have identified these as the tribes nearest the site proposed for characterization and which may be interested in our review activities.

*See Previous page for concurrences.

OFC	:WMPi*	:WMPi	:WMHT*	:OSP/ELD	:WM	:NMSS	:NMSS
NAME	:RDMac/JJSur	:JOBunting	:HMiller	:Young/Dorian	JMartin	:DMausshardt	:JDavis
DATE	:82/11/10	:82/11/	:82/11/09	:82/11/10	:82/11/	:82/11/	:82/11/

NOV 15 1982

We hope that the attached material on NRC's review process will be helpful. We look forward to hearing from you soon.

Sincerely,

(Signed) John G. Davis
John G. Davis, Director
Office of Nuclear Material
Safety and Safeguards

Enclosures:

1. Site Characterization Report (SCR)
2. Notice of Receipt of SCR as submitted to
Federal Register
3. Procedural Portion of 10 CFR 60 Rule

ADDITIONAL DISTRIBUTION:

Mr. Elwood Tatawa
Tribal Chairman
Confederated Tribe of Umatilla
P. O. Box 638
Pendleton, OR 97801

Mr. Delbert Frank
Tribal Chairman
Confederated Tribes of the
Warm Springs Reservation
Warm Springs, OR 97761

Mr. Al Aubertin
Tribal Chairman
Colville Business Council
P. O. Box 150
Nespelem, WA 99155

*See Previous page for concurrences.

OFC	:WMPI*	:WMPI	:WMHT*	:OSP/ELD	:WM	:NMSS	:NMSS
NAME	:RDMac/JJSur	:JOBunting	:HMiller	:Young/Dorian	JMartin	:DMAusshardt	:JDavis
DATE	:82/11/10	:82/11/	:82/11/09	:82/11/10	:82/11/	:82/11/	:82/11/

SCOTT LTRHEAD

- 3 -

We hope that the attached material on NRC's review process and our correspondence with other Tribes and States will be helpful. We look forward to hearing from you soon.

Sincerely,

John G. Davis, Director
Office of Nuclear Material
Safety and Safeguards

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3. Descriptive Summary of SCR Review Process
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NMSS r/f
RMacDougall
JSurmeier
DMattson
MKearney
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Wolmstead
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JMartin
RBrowning
JDavis
DMAusshardt
DKunihiro
FYoung
CRussell
RUleck
RWright
SCoplan
PAltomare

ADDITIONAL DISTRIBUTION:

Mr. Elwood Tatawa
Tribal Chairman
Confederated Tribe of Umatilla
P. O. Box 638
Pendleton, OR 97801

Mr. Delbert Frank
Tribal Chairman
Confederated Tribes of the
Warm Springs Reservation
Warm Springs, OR 97761

Mr. Al Aubertin
Tribal Chairman
Colville Business Council
P. O. Box 150
Nespelem, WA 99155

NMSS

DMAusshardt
82/11/

NMSS

JDavis
82/11/

no legal objections
Benson for
per telecon
of Young

OFC	: WMPI	: WMPI	: WMPI	: WMHT	: OELD	: OSP	: WM
NAME	: RMacDougall	: JSurmeier	: JBunting	: HMiller	: Wolmstead	: WKerr	: JMartin
DATE	: 82/11/06	: 82/11/	: 82/11/00	: 82/11/	: 82/11/00	: 82/11/00	: 82/11/9