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101.4/CR/85/09/20

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TRIBUTION:

WM: s/f ✓ JGreeves
NMSS: r/f JOBunting
Section: r/f MKnapp
CRussell HMiller
PALtomare REBrowning
MKearney MJBell
DMattson CCameron
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LHigginbotham

WM Project

Docket No.

PDR

LPDR

PDR
101 LPDR

Mr. Kurt Russo, Manager
Values Project Northwest
Lumme Indian Business Council
2616 Kwina Road
Bellingham, WA 98226-9298

SEP 20 1985
WM Record File

101.4

Distribution:

John

(Return to WM, 623-SS)

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Dear Mr. Russo:

Thank you for your letter of August 28, 1985, giving an overview of the Values Project Northwest and requesting that the Nuclear Regulatory Commission (NRC) consider endorsing the project. However, we are unclear about the direct relevance of the project to our regulatory responsibilities in the area of high-level radioactive waste management.

On January 7, 1983, the President signed into law the Nuclear Waste Policy Act (enclosed) which defined the goals and structure of a program for the disposal of high-level radioactive waste in geologic repositories. Under the Act, the Department of Energy is required to site, construct, and operate geologic repositories for high-level waste and spent fuel. The Act requires DOE to select a site according to procedures that require detailed characterization of several sites and which specify participation by State and Tribal governments, the President, Congress, the NRC, and other Federal agencies. The Act reaffirmed the NRC's responsibility to review a specific repository site proposal, pursuant to the Atomic Energy Act, in order to protect the public health and safety. Accordingly, DOE must submit a license application to the NRC for authorization to construct and operate the repository.

The NRC has promulgated regulations, 10 CFR Part 60, to implement its responsibility to license the repository (enclosed). These regulations include specific provisions for the participation of State and Tribal governments (see Subpart C, 10 CFR Part 60), including the provision of providing timely and complete information to host states and affected tribes regarding NRC determinations and plans.

Needless to say, the Value Project's goal of promoting a better understanding of the meaning of cultural values in the context of resource management, is a laudable one. However, the NRC, as an independent regulatory body, neither endorses nor opposes projects outside the scope of our regulatory authority. As noted above, we are unclear about the direct relevance of the Project to our regulatory responsibilities. However, if you believe it would be useful, we would be happy to send a representative to the workshops as an observer to provide information on the NRC's regulatory responsibilities.

OFC : WMPC	: WMPC	: OELD	: WMPC	:	:	:
NAME : CRussell	: DMattson	: CCameron	: JOBunting	:	:	:
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I am sorry that we cannot specifically endorse your Project, but we appreciate your interest and wish you well on your Values Project Northwest.

Sincerely,

Original Signed By:

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

Enclosures:
As Stated

By telecon
w/ C. Russell

OFC : WMPC	: WMPC	: OELD	: WMPC	:	:	:
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