

112
~~LTR TO 2ND ROUND S/T~~

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JUN 18 1985

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Mr. Greg Larson
Minnesota Environmental Quality
Board
Room 100, Capitol Square Bldg.
550 Cedar Street
St. Paul, MN 55101

*See Packet I
for encl.*

Dear Mr. Larson:

I would like to call to your attention Section 114(e) of the Nuclear Waste Policy Act of 1982 (Enclosure 1) which requires the Secretary of Energy to prepare and update, in cooperation with affected Federal agencies, a Project Decision Schedule (PDS) for attaining operation of a nuclear waste repository within the time periods specified in the Act. The PDS must provide a sequence of deadlines for Federal agency actions, including an identification of the activities for which a delay in their start or completion will cause a delay in the start-up of repository operation. The NWPA also specifies that failure or expected failure on the part of any Federal agency to comply with any of the deadlines established in the PDS must be explained in a written report to the Secretary of Energy and to the Congress.

NRC received a preliminary draft of the PDS from DOE in January 1985 requesting comments from the participating Federal agencies. We submitted our initial comments to DOE (Enclosure 2) and are now expecting to receive the draft PDS for final NRC comment in early July 1985. In addition to the provisions of the NWPA for State/Tribal interactions with the involved Federal agencies, the Commission's policy guidance (Enclosure 3) requires us "to maintain close communications with DOE, the States and affected Indian Tribes so that required activities and lead times are identified early in the planning process."

We will be meeting or holding telephone discussions with the first round States and Tribes to get their views on where they would like interactions with NRC so we can consider their views in our planning and comments for the PDS. We do not intend, nor do we expect, to lock in inviolate commitments from either the States or NRC, but rather some general schedule allowances for interactions that we agree are appropriate. We would be glad to receive any recommendations or comments you might have concerning the appropriate lead time for NRC interactions with the potential second repository states on the major milestones identified for the PDS (Enclosure 4).

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Please review the enclosed material on the PDS and, if you wish to discuss it, contact either Donna Mattson or Catherine Russell of my staff. We will need your input by July 19th so that we can submit our comments on time to DOE. If you plan to be in the Washington D.C. area over the next few weeks, and would like to meet with us, please call to make arrangements.

We look forward to hearing from you and would be happy to answer any questions you have about this process.

Sincerely,

/s/

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

Enclosures:

1. NWPA of 1982
2. NRC comments to DOE on PDS
3. Commission's policy guidance
4. Milestones identified in PDS

*The 17 recipeints of this letter are listed on the following page.

**See previous concurrence.

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