

NOTATION VOTE

RESPONSE SHEET

RELEASED TO THE PDR

1/7/93
date

[Signature]
initials

TO: SAMUEL J. CHILK, SECRETARY OF THE COMMISSION

FROM: COMMISSIONER ROGERS

SUBJECT: SECY-92-380 - NOTICE OF PROPOSED RULEMAKING
TO ESTABLISH PROCEDURES AND CRITERIA FOR
ON-SITE STORAGE OF LOW-LEVEL RADIOACTIVE
WASTE, AFTER JANUARY 1, 1996

APPROVED ^{WITH} COMMENTS * DISAPPROVED _____ ABSTAIN _____

NOT PARTICIPATING _____ REQUEST DISCUSSION _____

COMMENTS:

1. The response to public comment on whether NRC action with respect to indefinite, on-site storage of LLW should be the same as for HLW is correct; however, I think it could be strengthened by appealing to (1) the relative volumes of the two waste streams and (2) the relative compatibility and safety with which an ISFSI can be added to a power reactor site. I suggest that the staff revise the supplementary information to consider these points prior to issuance of the proposed rule.

2. The paragraph on page 19 of the supplementary information about compatibility policy may prove to be inconsistent with ultimate Commission action in this area. Prior to issuance of the proposed rule, I recommend that it be edited as indicated on the attachment.

KAC

9301110287 921224
PDR COMMS NRCC
CORRESPONDENCE PDR

Kenneth C. Rogers
SIGNATURE

RELEASE VOTE

☒

November 24, 1992
DATE

WITHHOLD VOTE

☐

ENTERED ON "AS" YES ☒ NO _____

DFG

frustrated. Therefore, the amendments contained in this proposed rule would be a matter of compatibility for NRC Agreement States. The additional license conditions for LLW on-site storage, after January 1, 1996, in 10 CFR 30.34, 40.41, and 70.32, are considered to be Division 2 categories of compatibility. Although Agreement States must adopt Division 2 rules in their regulations, the use of language identical to that in NRC rules is not necessary, provided that the underlying principles are the same. The Agreement States may adopt more restrictive requirements.

The Commission is currently considering a re-evaluation of its compatibility policy, and may decide to revise its general requirements regarding compatibility for the Agreement States. The Commission's compatibility determination, on this proposed rule, ^{MAY} ~~would~~ be re-examined in light of any change to the general policy.

Discussion of Proposed Revisions

The proposed rule would establish procedures and criteria, for on-site storage of LLW, that would apply to all categories of LLW generators. On-site storage of LLW would not be permitted after January 1, 1996 (other than reasonable short-term storage necessary for decay, or for collection or consolidation for shipment off-site, in the case where the licensee has access to