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CHMaupin, OSP
DANussbaumer, OSP
GWKerr, OSP
HDenton, NRR
JDavis, NMSS
GCunningham, OGC
VStello, EDO
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SEP 1 1986

The Honorable Alan Cranston
United States Senate
Washington, D.C. 20510

Dear Senator Cranston:

We are pleased to respond to your letter dated August 4, 1986 regarding Mr. Peter Savino's inquiry into the selection of US Ecology as the contractor to develop a low-level radioactive waste disposal facility in California.

The decision to select US Ecology as the contractor was made by California pursuant to its own legislation and regulations which provide for the State to develop a low-level radioactive waste disposal facility. The States are required to develop such disposal capability pursuant to the Low-Level Radioactive Waste Policy Amendments Act of 1985.

The regulation of any low-level radioactive waste disposal facility would also fall under California jurisdiction. California entered into an agreement in 1962 with the Atomic Energy Commission (NRC's predecessor agency) under Section 274b of the Atomic Energy Act of 1954, as amended. Under the agreement, California has the authority to regulate the receipt, possession, use, transfer and disposal of certain radioactive materials, including the disposal of low-level radioactive waste subject to meeting or exceeding NRC requirements. Consequently, the NRC has relinquished regulatory authority over the siting, development or use of a low-level radioactive waste disposal facility in California.

We suggest that Mr. Savino's comments be referred to Dr. Kenneth Kizer, Director, California Department of Health Services, 714 P Street, Sacramento, California 95814.

Sincerely,

Original signed by
Victor Stello

Victor Stello, Jr.
Executive Director
for Operations

bcc: Dr. Kenneth Kizer, CA, w/incoming

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NAME	CHMaupin/bh	DANussbaumer	Wolmstead	GWKerr	VStello
DATE	8/28/86	8/27/86	8/28/86	8/2/86	1/86

1/12/82