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## United States Senate

COMMITTEE ON THE JUDICIARY  
WASHINGTON, DC 20510

April 17, 1985

The Honorable Nunzio J. Palladino  
Chairman  
Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Chairman Palladino:

During the March 8, 1985 hearings held by the Judiciary Committee on the Compacts for disposal of Low-Level Radioactive Waste, there was substantial testimony devoted to the post-1985 access issue. Many witnesses suggested the need for a transition period, which would assure access for non-sited states or regions, while their own disposal facilities were developed and brought on-line. The concept of a transition period raises several questions, on which the Nuclear Regulatory Commission may wish to comment. I would appreciate your addressing these questions at your earliest opportunity.

1.) One major element of a transition period is volume limitation. If a National cap were set, it would be necessary for a governmental body to administer the cap. Should NRC oversee volume allocations under a cap? Would it be feasible to have each state or region apportion volumes among generators, subject to passive NRC oversight? What problems do you foresee in a temporary grant of this new regulatory authority to the states? How much time would be involved in developing the necessary regulatory framework? What would be the cost for NRC transition oversight, both active and passive? Should not states have primary authority, perhaps under NRC agreement, to administer and regulate disposal of these wastes generated within their borders?

2.) What steps or events, if any, in the licensing of a low-level waste disposal facility might allow for expedited, or fast-tracking, methods in order that new sites may be developed more quickly without affecting health or safety concern?

3.) With regard to mandatory utility on-site storage under current technology, what is a reasonable time for development and construction of on-site facilities?

4.) Currently, compact regions occupy a hybrid status between state and Federal government. Please comment on the

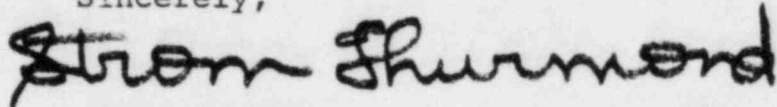
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desirability and potential problems associated with the creation of NRC Agreement Compact Regions, as well as the subjecting of Compact Regions generally to NRC oversight.

Your consideration of these questions, and your timely response will be greatly appreciated.

With kindest regards and best wishes,

Sincerely,

A handwritten signature in dark ink, reading "Strom Thurmond". The signature is written in a cursive, slightly stylized font. The first name "Strom" is written with a large, looping 'S' and a small 't'. The last name "Thurmond" is written with a large 'T' and a long, sweeping 'd' that extends to the right.

Strom Thurmond  
Chairman

ST:jqx