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September 9, 1985

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

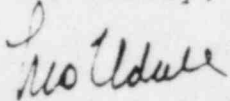
Dear Mr. Chairman:

On Friday, September 13, 1985, the Subcommittee on Energy and the Environment will conduct a hearing on the Department of Energy's implementation of the Nuclear Waste Policy Act of 1982 and the Mission Plan for the Civilian Radioactive Waste Management Program. I would appreciate the attendance and testimony of the Commission at the hearing to provide the Subcommittee with an overview of the NRC's views concerning the Mission plan. I have attached a list of specific questions which I would also appreciate your addressing for the hearing.

In accordance with Subcommittee policy, please provide 25 copies of your testimony at least 48 hours in advance and an additional 75 copies on the morning of the hearing. Should you have any questions regarding this request, please have your staff contact Joe Shorin or Andrea Dravo of my staff at 225-8331.

Thank you for your assistance.

Sincerely,



MORRIS K. UDALL  
Chairman

Attachment

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PDR COMMS NRCC  
CORRESPONDENCE PDR

QUESTIONS FOR THE NRC

1. Would there be a substantive difference in NRC requirements for a full repository license application versus requirements for a repository accepting limited quantities of waste? Could a limited repository shorten licensing time? If so, how?
2. Please provide a detailed explanation of NRC's position concerning when a preliminary determination of suitability should be made, pursuant to Section 114(f) of the Nuclear Waste Policy Act.
3. What was the exact nature of the agreement reached between DOE and NRC made at the June 22, 1984 Commission meeting on the Commission's concurrence on the Siting Guidelines? Did DOE state that the PDS would be made after characterization? Was this a factor in NRC's approval of the guidelines? Specifically what was the relationship between the timing of the determination and the appropriateness or sufficiency of the guidelines?
4. If the Department refuses to change the Mission Plan to reflect a post-characterization PDS, will the NRC retract its concurrence on the siting guidelines? If not, will the DOE policy threaten the legal standing of NRC's concurrence? Will DOE's policy on the PDS have any other implication with regard to NRC's role in the program?
5. Has the NRC considered the merits of a PDS scenario involving a determination being made at some intermediate point--before a site has been fully characterized, but after the first exploratory shaft has been constructed--such as the option identified by the Office of Technology Assessment? What are the pros and cons of such an approach?
6. Is the Mission Plan realistic in its estimates of the major phases of repository development (i.e. characterization, state and Congressional concurrence, licensing and construction)? Is its consideration of potential impacts on the schedule adequate? Is it a conservative approach?