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M. Bell, DNM

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Acting Commissioner



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TO: Mary Clark, EPA + Steve Solomon, NRC

FROM: Paul J. Merges  
BUREAU OF PESTICIDES & RADIATION

DATE: 6/27/97 Re: SP-97-031

NUMBER OF PAGES: COVER, PLUS 2

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MARYLAND DEPARTMENT OF THE ENVIRONMENT  
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Governor

Jane T. Nishida  
Secretary

JUN 13 1997

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JUN 16 1997

Paul J. Merges, Ph.D., Chief  
Bureau of Pesticides and Radiation  
Division of Solid and Hazardous Materials  
New York State Department of Environmental Conservation  
50 Wolf Road, Room 402  
Albany NY 12233-7255

BUREAU OF PESTICIDES & RADIATION  
DIVISION OF SOLID &  
HAZARDOUS MATERIALS

Dear Dr. Merges:

The Maryland Department of the Environment (MDE) appreciates the opportunity to review and comment on the "Seventh Working Draft of a Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management." There was obviously a great deal of hard work put into producing the draft document during the March 6-14, 1997 meeting. The objectives of the Convention are consistent with maintaining a high level of safety worldwide so that individuals, society and the environment are protected from the harmful effects of ionizing radiation both now and in the future.

Though MDE concurs with the terms of the Convention, the variety of subjects covered necessitates the involvement of other State agencies, to whom I am sending a copy of this response. The licensing and regulation of nuclear power reactors is not within the jurisdiction of Maryland State Government, but several of the peripheral issues are of great interest and are regulated by the State. Spent fuel and radioactive waste management and disposal are two areas of great concern at the State level. There is also great concern about decommissioning, on-site safety and the sites of proposed nuclear power facilities.

One of the essential provisions is Article 32, titled, "Reporting", which requires each contracting party to submit a national report to each review meeting of contracting parties. The report is required to include the current policies and practices of spent fuel and radioactive waste management, as well as criteria to define and characterize radioactive waste. The Department strongly concurs with this requirement and believes access to these reports by states should be provided.

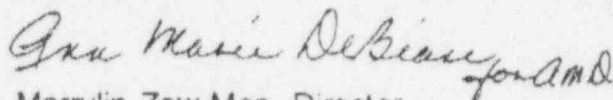
Paul J. Merges, Ph.D., Chief

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The MDE encourages the Nuclear Regulatory Commission (NRC) to carefully analyze the comments from each state, especially those in which a nuclear power plant is about to be decommissioned/decontaminated or exceeds its spent fuel storage capacity. Perhaps the NRC and the Organization of Agreement States can unite to support and uphold this Convention.

Thank you again for the opportunity to review this document. Should you have any questions concerning Maryland's comments, you may contact Mr. Roland G. Fletcher, Manager of the Radiological Health Program, at (410) 631-3300.

Sincerely,

A handwritten signature in cursive script, appearing to read "Merrylin Zaw-Mon", with a stylized flourish at the end.

Merrylin Zaw-Mon, Director  
Air and Radiation Management Administration

MZM:dpn

cc: Maryland Department of Natural Resources  
Maryland Emergency Management Administration