



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

January 5, 2000

RELEASED TO THE PDR
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date initials

SECRETARY

MEMORANDUM TO: William D. Travers
Executive Director for Operations

FROM: Annette Vietti-Cook, Secretary *Annette Vietti-Cook*

SUBJECT: STAFF REQUIREMENTS - SECY-99-272 - AGREEMENT STATE
COMPATIBILITY FOR CRITICALITY REQUIREMENTS
APPLICABLE TO LOW-LEVEL WASTE DISPOSAL FACILITIES

The Commission has disapproved the staff's proposal to revise the compatibility of 10 CFR 61.16(b)(2) from category *NRC* to category *Health and Safety* and finalize the emplacement criticality guidance on the grounds that such actions are unnecessary for adequate protection of public health and safety.

The Commission does not believe there is a need for Staff to continue to analyze the potential for accidental criticality resulting from waste emplacement at a low level waste repository which meets the requirements for 10 CFR Part 61.

- cc: Chairman Meserve
- Commissioner Dicus
- Commissioner Diaz
- Commissioner McGaffigan
- Commissioner Merrifield
- OGC
- CIO
- CFO
- OCA
- OIG
- OPA
- Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
- PDR
- DCS

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