

No. 93-96
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FOR IMMEDIATE RELEASE
(Monday, July 12, 1993)

NRC PROPOSES AMENDMENTS TO SITING REQUIREMENTS
FOR HIGH-LEVEL WASTE REPOSITORIES

The Nuclear Regulatory Commission is proposing to amend its regulations for high-level radioactive waste repositories to clarify how the agency will evaluate compliance with siting requirements.

As required by the Nuclear Waste Policy Act, the Department of Energy currently is evaluating the suitability of a site at Yucca Mountain, Nevada, for development as a repository for high-level radioactive wastes (primarily used fuel from nuclear reactors). The NRC would regulate the construction and operation of such a facility.

The proposed amendments would clarify the requirements for analysis of "potentially adverse conditions" listed in the regulations (such as potential for significant earthquakes, significant volcanic activity or flooding of an underground facility). The presence of such conditions must not compromise the ability of the geologic repository to isolate the wastes.

Currently, to show that a particular potentially adverse condition would not compromise the repository, DOE must demonstrate that it has been "adequately investigated" and that the effect of the condition has been "adequately evaluated." These requirements would be eliminated. However, DOE would still be required to show that the presence of potentially adverse conditions does not compromise the ability of the repository to meet the performance objectives related to isolation of the waste. The revised language is a clarification of the rule and represents no change in policy.

Another uncertainty addressed by the proposed rule is the relationship of particular potentially adverse conditions to the ability of the site to isolate waste after permanent closing. The proposed change would clearly indicate that the effect of a particular condition is not to be studied individually, but in the context of other characteristics of the site and design.

In addition, the three specific alternative ways by which the applicant can analyze potentially adverse conditions would be

replaced by a broader statement that requires that evaluations of repository performance must demonstrate that, "considering the potentially adverse conditions in combination with other characteristics of the site and design, the performance objectives relating to the isolation of the waste" will be met. This change does not preclude use of any of the three specific alternatives, and the applicant may wish to continue to use them to demonstrate that the repository will isolate the waste after permanent closing.

Other details of the proposed amendments are contained in a Federal Register notice published on July 12, 1993. Interested persons are invited to submit written comments on the proposed amendments, which are to Part 60 of the Commission's regulations, by October 11, 1993 (90 days after publication of the Federal Register notice). The comments should be addressed to the Secretary of the Commission, Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch.

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