ATTACHMENT 1 A

Summary Highlights
of
NRC/DOE Management/Quality Assurance Meeting
Hillshire Atrium, Las Vegas, Nevada
NRC T2B3, Rockville MD
DOE Headquarters, Room 7F091
CNWRA San Antonio, Texas
April 27, 2000, 8:30 a.m. to 12:30 p.m. PDST

The U.S. Nuclear Regulatory Commission (NRC) and the U.S. Department of Energy (DOE) met on April 27, 2000 to discuss the status of various management and programmatic issues. Major topics included: 1) the April 25-26,2000 Key Technical Issues (KTIs) Technical Exchange; 2) DOE's progress on Quality Assurance issues; and 3) the scope and objective of the NRC's review of DOE's Site Recommendation Consideration Report (SRCR). The meeting summary includes a brief description of the presentations, the meeting agenda (attachment 1), the attendance list (attachment 2), and a copy of meeting handouts (attachment 3).

Opening Remarks

Mr. John Greeves (NRC) and Mr. Lake Barrett (DOE) opened the meeting by briefly summarizing the April 25-26, 2000 KTI Technical Exchange meeting, which contributed to a better understanding of each agency's programmatic needs. There were no opening remarks by the Affected Units of Local Government (AULG) or other parties.

NRC Program Status

NRC stated that the Yucca Mountain Review Plan (YMRP) embodies a risk-informed, performance-based regulatory approach to reviewing a repository license application. The YMRP represents one means of meeting the regulatory requirements for the High Level Waste (HLW) repository, but NRC will accept alternative approaches with adequate justification.

NRC discussed the KTI closure process and indicated that the goal is to close all sub-issues of the KTIs prior to DOE submitting a License Application (LA). NRC indicated that significant progress was made toward issue resolution in the April 25-26, 2000 Technical Exchange and via the DOE letters recently received by the NRC on the Issue Resolution Status Reports. The closure of the KTI sub-issues depends on early access by NRC staff to the DOE's Analysis & Model Reports (AMRs) and technical data. Although DOE has been routinely providing such early access to preliminary AMRs to the NRC Onsite Representatives(OR), DOE agreed to send preliminary AMRs to NRC Headquarters and other interested parties.

Mr. Bill Reamer (NRC) discussed the need to develop a system for tracking DOE/NRC open items. Mr. Barrett would like the NRC to develop a list of items that are open, closed, and closed pending confirmation. Both NRC and DOE agreed to formalize this process and report every six months on the status of open items.

NRC staff has provided the revised 10 CFR Part 63 to the Commission and is awaiting a Commission decision on its issuance as a final draft rule.

DOE Program Update

DOE indicated that during the past three years, budgetary shortfalls required the Program to prioritize its work scope and appropriately focus on postclosure issues central to a possible site recommendation. The program is currently focused on completion of the SRCR. Although limited, the pre-closure work completed to date is adequate for the SR.

DOE acknowledged the possibility of deferring the final Environmental Impact Statement (EIS) into next year.

DOE reported on the status of data qualification for the SRCR and noted that the QA data classification process meets proposed 10 CFR Part 63 requirements for QA.

QA Status and Progress

Mr. Bob Clark (DOE) presented the schedule of the upcoming QA audits: 1) Saturated Zone Flow and Transport PMR audit: June 26 - 30, 2000; 2) Total System Performance Assessment audit: July 10 - 21, 2000; 3) Near Field Environment PMR audit: July 24 - 28, 2000; and 4) Disruptive Events PMR audit August: 21 - 25, 2000

Mr. Clark indicated that over 80% of identified technical and quality related deficiencies have been corrected within 100 days, and he emphasized the significant continuing improvement demonstrated by the fact that only two deficiencies have remained open for over a year. NRC indicated that their confidence level regarding QA has increased as a result of discussions on QA at the April 26, 2000 meeting. NRC encouraged DOE to continue to emphasize the importance of QA.

Yucca Mountain Project Status

DOE stated that after a thorough evaluation of alternatives, its design process has produced a robust design concept that offers a great deal of operational flexibility. The design concept permits adjustments in the period of ventilation the extent of fuel staging, fuel loading into individual waste packages, and in waste package spacing. The current design concept retains the flexibility to be operated in either an above-boiling or below-boiling mode. This design flexibility permits refinement of the operational parameters of the repository as a greater understanding of the uncertainties associated with thermal processes is gained. This design and its operational flexibility effectively balance the concerns with uncertainties in repository performance analyses with other programmatic considerations, such as public and worker safety, intergenerational equity, and cost. As the design concept evolves, the AMRs and Process Model Reports (PMRs) will be updated through interim change notices and will only be revised if substantial changes are made. DOE will also prepare technical update reports to provide access to the current information.

DOE indicated that public comments on the draft EIS will be addressed and appropriate changes incorporated in the final EIS. The final EIS will accompany the SR. NRC requested a list of the 27 categories of comments received by DOE on the draft EIS.

Remarks by Interested Parties

During the discussion on early and timely availability of preliminary information, Mr. Steve Frishman, representing the State of Nevada Nuclear Waste Project Office, indicated that the State understands and acknowledges the sensitivity of using preliminary information and the responsibility that accompanies its use.

During the discussion on proposed 10 CFR Part 63, Ms. Judy Treichel, representing the Nevada Nuclear Waste Task Force, said that the public needs to know the disposition of their comments and needs to know if they were given full consideration. NRC affirmed that all comments were fully considered. A similar conversation was held regarding proposed 10 CFR Part 963 between Ms. Treichel and DOE. DOE indicated that all comments will be fully considered.

Mr. Steve Kraft, Nuclear Energy Institute, commented that DOE and NRC management appear to be in agreement on the objective and scope of the sufficiency review, and he encouraged management to communicate these expectations to their staff. NRC indicated that the NRC staff and management both recognize and acknowledge that the sufficiency review will focus on the extent to which the at-depth site

characterization analyses and the waste form proposal for such site seem to be sufficient for inclusion in any license application.

Summary /Closing Remarks

NRC indicated that they will continue to monitor the results of the upcoming QA audits and look forward to the timely receipt of the AMRs and appropriate associated technical data. DOE expressed its desire to continue to keep the NRC informed and focused on what is necessary for sufficiency.

Mr. Bill Belke (NRC) indicated that DOE had not fully addressed the proposed corrective action to prevent reoccurrence of deficiencies identified under procurement issues. DOE was pleased to report that the performance of the QA metrics has improved significantly and that the goals are being met.

Ms. Treichel expressed a concern that the project is moving forward to meet its schedule and is not listening to the concerns of members of the public who live in the vicinity of Yucca Mountain. Ms. Treichel expressed a concern that what DOE and NRC find sufficient may not be sufficient for the public and that both agencies should be more responsive to the public.

Commitments:

1. DOE will release copies of preliminary AMRs as soon as possible to the NRC, with copies to the State, Counties, and interested parties, as requested
2. DOE and NRC agreed to establish a consolidated list of commitments and open items and develop a process to track which open items are closed, closed pending confirmation, or open. The status of this effort will be reported at future management meetings.

Action Items:

1. DOE will continue to interact with the OR's on Procurement issues.
2. DOE will provide copies of the TRB slides to NRC (Greeves) (Complete)
3. DOE will provide a list of the 27 categories of EIS comments to NRC (Greeves) (Complete)
4. NRC will continue to work with the DOE on the use of the "GoldSim" code.

Manny Comar

Manny M. Comar
Division of Waste Management
Office of Nuclear Material
Safety and Safeguards
U.S. Nuclear Regulatory Commission

Nancy H. Slater

Nancy H. Slater, Team Leader
Regulatory Coordination Division
Office of Civilian Radioactive
Waste Management
U.S. Department of Energy