MINUTES OF THE FEBRUARY 6, 1992 MANAGEMENT MEETING

ON PRELICENSING CONSULTATION

The staff of the Nuclear Regulatory Commission met with representatives of the Department of Energy (DOE) on February 6, 1992 to discuss items of mutual interest regarding prelicensing consultation. Representatives of the State of Nevada and Nye County, NV also participated in the meeting. Other affected units of local government were informed of the meeting, but did not send representatives. An attendance list is included as Attachment 1.

The NRC staff made an extensive presentation on its understanding of the prelicensing consultation program. Attachment 2 is the package of slides that the NRC staff used in its presentation. The topics covered included: statutory and regulatory bases for the high-level waste repository prelicensing consultation program; procedural agreements; the NRC staff's reactive reviews of DOE activities and documents (and how NRC proactive activities complement them); resolution of issues and concerns and the NRC staff's review of DOE's December 1991 skeleton Annotated Outline of a Repository License Application (AO). The staff also discussed its understanding of Open Items and the concept of "benefit at the margin." In its discussion of the AO the staff also raised several questions regarding the use of Topical Reports during the prelicensing period. DOE discussed in broad terms its plans for integration of AOs and topical reports and their relationship to the licensing process. DOE also discussed its understanding of Open Items and their resolution.

Both the Nuclear Waste Policy Act, as amended, and 10 CFR Part 60 contain requirements for a process of prelicensing consultation among the primary program participants-the NRC staff, DOE, NV, and the affected units of local government. Through procedural agreements, the NRC staff and DOE have attempted to enhance the implementation of the statutory and regulatory requirements related to prelicensing consultation. These procedural agreements are currently undergoing revision and the NRC staff will discuss the revised agreements at a meeting to which NV and the affected units of local government will be invited.

Its process for reviewing and commenting on DOE activities and documents was discussed by the NRC staff. In some cases, the result of a reactive review process is that the NRC staff may find DOE documents or activities acceptable. However, during prelicensing, the NRC staff does not approve DOE documents or activities. The NRC staff stated that the focus of its reactive work during prelicensing is to review programs, plans, assumptions, interpretations, and methodologies so that once a license application is formally submitted, the focus of reviewing it can be on the acceptability of the site. The staff also stressed the limitations of their reviews of a first-of-a-kind facility

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ENCLOSURE 1

where many methodologies and technologies are still evolving. It was noted that questions related to measurement of repository performance are also difficult to resolve in the near-term since understanding and measurement of performance are ultimately dependent on a full assessment of repository system performance. Final positions taken on performance of individual subsystems could, thus, be premature.

The NRC staff noted that its proactive development of technical positions, regulatory guides and rulemakings complements its reactive program. Proactive initiatives may be developed independently, as the result of concerns identified by the NRC staff, or they may grow out of issues recognized during reactive reviews. In either case, these proactive activities may facilitate issue resolution through clarification of NRC staff positions on various questions.

Several other aspects of issue resolution were also discussed by the NRC staff. The staff noted that while no issue can be finally resolved outside of licensing, issues resolved at the staff level during prelicensing consultation can still be raised during the hearing process. Similarly, it was stated by the NRC staff that rulemaking could be used to resolve selected generic methods. However, application of any such methods at a particular site, or to a particular situation, would still be an issue that could be raised during the hearing process. In the case of methodologies which are likely to continue to evolve during the prelicensing period (e.g., performance assessment methodologies), the staff would be extremely cautious in proposing to resolve these through rulemaking. The staff believes that such cases might be better addressed through other forms of guidance (e.g., staff technical positions). In all cases, the burden for demonstrating resolution, or acceptability, remains with the applicant.

During the NRC staff's discussion of the types of reactive reviews carried out during prelicensing consultation, the NV representatives raised concerns about DOE study plans and their review. The NV representatives asked about the NRC staff's process for auditing some study plans and doing in-depth reviews of others. The NRC staff explained that all study plans are audited (i.e., given a limited technical review), but that only those which meet the criteria specified in Revision 1 to the "Review Plan for NRC Staff Review of DOE Study Plans" are candidates for detailed technical review. These criteria ask whether the study plan: (1) is related to one or more key site-related issues, (2) pertains to some NRC open items, (3) describes unique, state-of-the-art test or analysis methods that therefore do not have a supportive scientific history of providing data usable in licensing, (4) describes a study critical to evaluation of site performance that cannot be repeated for a number of years due to its disruption of the natural baseline, or (5) has some other critical relationship to potential licensing concerns. In response to questions from the NV representatives, the NRC staff explained that the study plans were considered to be sub-tier documents of DOE's Site Characterization Plan (SCP).

DOE had provided the AO to the NRC staff in December 1991. The NRC staff

reported that it had reviewed the AO and determined that it appeared to be compatible with Draft Regulatory Guide DG-3003 "Format and Content of the License Application for the High-Level Waste Repository" (FCRG). Since this version of the AO is only a skeleton outline with no data included, further review was not deemed necessary. The NRC staff raised several questions regarding the relationship of the AO and DOE's proposed topical reports to the SCP/semi-annual progress report process and the issue hierarchy and issue resolution process which NRC and DOE have agreed to follow. DOE briefly spoke to these concerns in its presentation which is discussed below.

Its position on Open Items and how they need to be addressed by DOE was described by the NRC staff. Open Items can be generated through the review of the SCP, study plans, or other technical reports, or through technical interactions. This position is supported by 10 CFR 60.18 which requires DOE to report to NRC, "not less than every six months," on activities related to site characterization, including those activities requested by the Director of the the NRC Office of Nuclear Material Safety and Safeguards (NMSS). The NRC staff position has also been stated in a June 25, 1990 letter from NMSS Director Robert Bernero to John Bartlett, Director of the DOE Office of Civilian Radioactive Waste Management (OCRWM). This letter is included at the end of Attachment 2. In this letter Mr. Bernero specifically requests that DOE address concerns regarding study plans, and open items resulting from past NRC-DOE interactions, and from NRC reviews of DOE documents.

Later in the meeting, DOE responded with its position on Open Items. DOE was in basic agreement with NRC's definition of Open Items. However, some concerns were expressed regarding the way in which NRC presented concerns from study plans versus the way they were presented in the Site Characterization Analysis (SCA). There was some confusion expressed by DOE about the hierarchy of objections, comments and questions. The NRC staff explained that comments are less significant than objections. DOE must provide clarification to questions before NRC can determine if it will be necessary to develop an objection or comment related to the subject of the question. The NRC staff agreed to attempt to be as clear as possible in the presentation of concerns related to study plans and to use a standard format whenever possible.

The NRC staff also summarized its understanding of the term "benefit at the margin" which has been discussed recently by the Director of OCRWM and the Commission. The staff reiterated its understanding that "benefit at the margin" is a restatement of the question of "how much (data) is enough." The NRC staff and DOE have agreed to an issue resolution process which was described in DOE's SCP, and a performance allocation process which are meant to provide a mechanism for answering this question. These processes were based on an understanding that the burden of proof remains with DOE to demonstrate, through performance assessment, sensitivity and uncertainty analyses, how much is enough.

The NRC staff also stated that DOE must document when the analyses are no longer sensitive to more information and that there is sufficient margin to deal with the existing uncertainties. However, the staff noted that even if it appears that the analyses are no longer sensitive to more information, and there is an adequate margin to deal with known uncertainties, new circumstances or information may require further analyses until there is a fairly complete understanding of the total system. DOE stated that this seemed to be consistent with its understanding. A NV representative questioned whether DOE understood that DOE stopped collecting data at its own risk. DOE responded that it understood this.

Some clarification of the information presented by DOE at the November 20, 1991, meeting on AOs was requested by the NRC staff. Specifically, DOE was asked to explain how AOs and topical reports fit into the SCP/semi-annual progress report process and the issue hierarchy and issue resolution process to which the NRC staff and DOE have agreed. The NRC staff identified the following specific concerns:

- the purpose and scope of reviews of the AOs and topical reports,
- the need for assurance that AO/topical reports would not dilute resources available for issue resolution,
- staff review of AO/topical reports should not be perceived as a piecemeal approval of the license application,
- DOE's process for resolving NRC and other party comments on the AO/topical reports,
- appropriate frequency of AO reviews.

Several of these concerns were addressed when DOE stated that the AOs are being sent to NRC for the staff's information and guidance to DOE, but that DOE is not requesting that the NRC staff review the AOs. With regard to the question of the relationship of the AO and topical reports to issue resolution, DOE explained that the relationship is basically the one articulated in the SCP. The AO was primarily viewed as a DOE management tool. The topical reports are seen by DOE as the realization of the concept of issue resolution reports to which the NRC staff and DOE have agreed. DOE further stated that the AO and topical reports would not affect the development of the semi-annual progress reports and that additional thought was needed to determine and then to optimize the complementary relationship between these documents. DOE stated its understanding that the AO and topical report processes would not be a piecemeal review and approval of a license application. It was agreed that DOE would develop a brief statement describing the AO development and review process. Further, the NRC staff agreed to develop a similar document addressing, in part,

the purpose and scope of topical report reviews. The NV representatives raised several concerns about the relationship of the repository AO and topical reports to the determination of site suitability. DOE stated that the AO would not be used in the DOE determination of site suitability. However, data collected by DOE during site characterization may be used in both the AO and any site suitability determination. The NRC staff agreed to develop a review plan for its future preliminary comments on the sufficiency of DOE's site characterization program. The NRC staff was also questioned by NV about its plans for the review of the Early Site Suitability Evaluation, a DOE contractor prepared report. The NRC staff stated that it would make available to interested parties, copies of whatever staff review guidance was prepared.

At the conclusion of the meeting the NRC staff and the representatives of DOE, NV, and Nye County agreed to have future discussions on the documentation to be prepared regarding AOs, topical reports, and NRC's review of DOE's Early Site Suitability Evaluation.

Mark Delligatti 6/2/92

Mark S. Delligatti, Project Manager
Repository Licensing and Quality
Assurance Project Directorate
Division of High-Level Waste Management
Office of Nuclear Material Safety and
Safeguards
U.S. Nuclear Regulatory Commission

Linda J. Desell 6/2/92

Linda J. Desell, Chief
Regulatory Integration Branch
Office of Civilian Radioactive
Waste Management
U.S. Department of Energy

DOE/NRC MANAGEMENT MEETING 2/6/92
ATTENDANCE LIST

NAME	ORGANIZATION	TELEPHONE
Mark Delligatti	NRC	(301)504-2430
Steve Frishman	State of Nevada	(702)687-3744
Thomas Bjerstedt	DOE/YMP	(702)794-7590
Susan Jones	U.S. DOE/YMP	(702)794-7613
Linda Desell	U.S. DOE/YMP	(202)586-1462
Jim Davenport	State of Nevada	(206)357-9350
Pat Mackin	CNWRA	(512)522-5054
Bob Adler	CNWRA	(703)979-9129
Richard D. Dresser	Roy F. Weston	(202)646-6781
Jeff Williams	DOE/MRS	(202)586-9820
David Brooks	NRC	(301)504-2442
Bill Griffin	M&O/Fluor Daniel	(203)204-8887
Vic Trebules	DOE/MRS	(202)586-1116
Rex Wescott	NRC/HLWM	(301)504-2167
Fritz Sturz	NRC/IMNS	(301)504-2684
Phillip Niedzielski-Eichner	Nye County, NV	(703)818-2434
Marilee Rood	NRC/LSS	(301)492-4003
Rosetta Virgilio	NRC/SP	(301)504-2307
Stan Echols	Winston & Strawn	(202)371-5777
Margaret Federline	NRC/HLWM	(301)504-3396
Don Loosley	NRC/NMSS	(301)504-2657
Joe Youngblood	NRC/NMSS/HLWM	(301)504-3408
Kathryn Winsberg	NRC/OGC	(301)504-1637
Ron Ballard	NRC/HLWM	(301)504-3462
Robert Johnson	NRC/HLWM	(301)504-2409
John Linehan	NRC/HLWM	(301)504-3406
Charlotte Abrams	NRC/HLWM	(301)504-3403
King Stablein	NRC/EDO	(301)504-1724

Attachment 1

NRC PRELICENSING CONSULTATION FOR THE HLW REPOSITORY PROGRAM

-ROLE OF ANNOTATED OUTLINE AND TOPICAL REPORTS-

JOHN J. LINEHAN
DIVISION OF HIGH-LEVEL WASTE MANAGEMENT
U.S. NUCLEAR REGULATORY COMMISSION
FEBRUARY 6, 1992

Attachment 2

STATUTORY AND REGULATORY

NUCLEAR WASTE POLICY ACT, AS AMENDED

- -PRELICENSING CONSULTATION PROGRAM
- -DESCRIBES ROLES OF NRC, DOE, STATES, TRIBES, AND AFFECTED UNITS OF LOCAL GOVERNMENT
- -REVIEW SITE CHARACTERIZATION PLAN
- -SEMI-ANNUAL PROGRESS REPORTS
- -PRELIMINARY COMMENTS ON SUFFICIENCY OF SITE CHARACTERIZATION

10 CFR PART 60

SUBPART B - PREAPPLICATION REVIEW

-CALLS FOR SUBMITTAL AND REVIEW OF SCP

-CONSULTATION WITH STATES AND AFFECTED INDIAN TRIBES

-SEMI-ANNUAL PROGRESS REPORTS

-10 CFR 60.18(g) OTHER RELATED TOPICS TO BE COVERED IF REQUESTED BY DIRECTOR [OF NMSS] (6/25/90 LETTER FROM BERNERO TO BARTLETT)

-SCA AND STUDY PLAN CONCERNS

-PROGRESS TOWARD RESOLVING OPEN ITEMS

-PROVISION FOR PUBLIC COMMENT ON NRC COMMENTS ON REVIEW OF DOE DOCUMENTS

-"THE DIRECTOR [OF NMSS] MAY COMMENT AT ANY TIME IN WRITING TO DOE, EXPRESSING CURRENT VIEWS ON ANY ASPECT OF SITE CHARACTERIZATION."

SUBPART C - PARTICIPATION OF STATES, TRIBES AND AFFECTED UNITS OF LOCAL GOVERNMENT

-PROVISION FOR "TIMELY AND COMPLETE" INFORMATION

PROCEDURAL AGREEMENTS

ASSURE:

TIMELY AVAILABILITY OF DATA AND INFORMATION NEEDED FOR NRC REVIEWS,

NRC ON-SITE REPRESENTATIVE,

PROCEDURES FOR MEETINGS/INTERACTIONS,

PARTICIPATION IN MEETINGS BY STATES AND TRIBES.

TWO MAIN MECHANISMS FOR PRELICENSING CONSULTATION

REACTIVE:

REVIEW OF DOE ACTIVITIES AND SUBMITTALS

PROACTIVE:

ISSUANCE OF GUIDANCE DOCUMENTS AND RULEMAKINGS

REACTIVE REVIEW OF DOE ACTIVITIES AND DOCUMENTS

PURPOSE OF SUCH REVIEWS IS TO PROVIDE GUIDANCE TO DOE:

- IDENTIFICATION OF CONCERNS
- IDENTIFICATION OF WHAT IS NEEDED TO RESOLVE CONCERNS
- FUNCTION IS TO REVIEW, COMMENT, AND (IN SOME CASES) ACCEPT, NOT APPROVE
- COMPLEMENTED BY PROACTIVE DEVELOPMENT OF TECHNICAL POSITIONS, REGULATORY GUIDES AND RULEMAKING

OBJECTIVES OF REACTIVE WORK

TO IDENTIFY CONCERNS SO THAT THEY CAN BE ADDRESSED IN A TIMELY MANNER.

TO IDENTIFY CONCERNS THAT WOULD IMPACT NRC'S ABILITY TO MAKE A DECISION ON CONSTRUCTION AUTHORIZATION WITHIN THREE YEARS.

ONCE THE LICENSE APPLICATION IS FORMALLY SUBMITTED, THE REVIEW SHOULD BE FOCUSED ON THE ACCEPTABILITY OF SITE AND DESIGN-NOT ON THE ADEQUACY OF SITE CHARACTERIZATION METHODS, MODELS, ETCETERA.

FOCUS DURING PRELICENSING IS ON THE REVIEW OF PROGRAMS, PLANS, ASSUMPTIONS, INTERPRETATIONS, AND METHODOLOGIES, NOT ON THE ADEQUACY OF COMPLIANCE WITH 10 CFR PART 60.

CONDUCT REVIEW IN A TOTALLY OPEN AND DOCUMENTED PROCESS THAT CONSIDERS VIEWS OF OTHER PARTIES.

LIMITATIONS OF REVIEWS

THE HLW REPOSITORY IS A FIRST OF A KIND FACILITY.

SYSTEM INTERFACES ARE NOT YET FULLY DEFINED.

UNDERSTANDING OF SITE, METHODOLOGIES, AND TECHNOLOGIES IS STILL EVOLVING.

MOST CONCERNS NEED TO BE EVALUATED IN THE CONTEXT OF THE OVERALL SYSTEM.

LACK OF RECOGNITION OF THESE LIMITATIONS CAN LEAD TO PREMATURE POSITIONS.

RESOLUTION OF ISSUES AND CONCERNS

DURING THE PRELICENSING CONSULTATION PERIOD REACTIVE REVIEWS RESOLVE ISSUES AT THE STAFF LEVEL. HOWEVER, THESE CAN STILL BE RAISED DURING THE HEARING PROCESS.

WHILE SELECTED GENERIC METHODS CAN BE RESOLVED THROUGH RULEMAKING, APPLICATION OF ANY SUCH METHODS TO A PARTICULAR SITE OR SITUATION CAN STILL BE RAISED DURING THE HEARING PROCESS.

REVIEW ACTIVITIES

EXAMPLES OF NRC REVIEW ACTIVITIES

- CONSULTATION DRAFT SITE CHARACTERIZATION PLAN (CDSCP)
- SCP*
- CHRBA/ESF
- STUDY PLANS*
- SEMI-ANNUAL PROGRESS REPORTS*
- TECHNICAL REPORTS
- MISSION PLAN (AND AMENDMENTS)/PROJECT DECISION SCHEDULE*
- QUALITY ASSURANCE
  - DOCUMENT REVIEWS
  - OBSERVATION AUDITS
  - SURVEILLANCES
- ONSITE REVIEWS
- MEETINGS AND TECHNICAL EXCHANGES

*STATUTORY AND REGULATORY REVIEW REQUIREMENTS

NRC REVIEW OF DECEMBER 20TH 1991 SKELETON ANNOTATED OUTLINE FOR THE REPOSITORY

STAFF FINDS THAT THE ANNOTATED OUTLINE (AO) BASICALLY CORRESPONDS TO DG-3003.

STAFF HAS QUESTIONS ON "ADDITIONAL COMMENTS ON FCRG."

DOE NEEDS TO EXPLAIN HOW AO AND TOPICAL REPORTS FIT INTO SCP/SEMI-ANNUAL PROGRESS REPORT PROCESS AND THE ISSUE HIERARCHY AND ISSUE RESOLUTION PROCESS AGREED TO BY NRC AND DOE:

- PURPOSE OF REVIEWS OF AO AND TOPICAL REPORTS; NEED AGREEMENT ON PURPOSE AND SCOPE OF REVIEW,
- ASSURE AO/TOPICAL REPORTS DO NOT DILUTE RESOURCES AVAILABLE FOR WORK ON RESOLUTION OF ISSUES,
- REVIEWS SHOULD NOT BE PERCEIVED AS A PIECEMEAL APPROVAL OF THE LICENSE APPLICATION,
- NEED TO UNDERSTAND DOE PROCESS FOR RESOLVING NRC/OTHER PARTY COMMENTS,
- APPROPRIATE FREQUENCY OF AO REVIEWS NEEDS TO BE DISCUSSED.

RESPONSE TO AND RESOLUTION OF OPEN ITEMS

OPEN ITEMS ARE GENERATED THROUGH THE REVIEW OF THE SCP, STUDY PLANS, OTHER TECHNICAL REPORTS AND TECHNICAL INTERACTIONS.

AS DISCUSSED IN THE JUNE 25, 1990 LETTER FROM BERNERO TO BARTLETT, 10 CFR 60.18 STATES THAT IN THE SEMI-ANNUAL PROGRESS REPORTS "OTHER TOPICS RELATED TO SITE CHARACTERIZATION SHALL ALSO BE COVERED IF REQUESTED BY THE DIRECTOR [OF NMSS]."

"BENEFIT AT THE MARGIN"

HOW MUCH IS ENOUGH?

NRC AND DOE HAVE AGREED TO AN ISSUE RESOLUTION STRATEGY AND PERFORMANCE ALLOCATION PROCESS AND TO THE USE OF ITERATIVE PERFORMANCE ASSESSMENT.

THE BURDEN OF PROOF IS ON DOE TO DEMONSTRATE THROUGH PERFORMANCE ASSESSMENT, SENSITITIVITY AND UNCERTAINTY ANALYSES HOW MUCH IS ENOUGH.

DOE MUST DOCUMENT WHEN THE ANALYSES ARE NO LONGER SENSITIVE TO MORE INFORMATION AND THERE IS SUFFICIENT MARGIN TO DEAL WITH THE EXISTING UNCERTAINTIES.

EVEN IF IT APPEARS THAT THE ANALYSES ARE NO LONGER SENSITIVE TO MORE INFORMATION, AND THERE IS AN ADEQUATE MARGIN TO DEAL WITH KNOWN UNCERTAINTIES, NEW CIRCUMSTANCES OR INFORMATION MAY REQUIRE FURTHER ANALYSES UNTIL THERE IS A FAIRLY COMPLETE UNDERSTANDING OF THE TOTAL SYSTEM.

JUN 2 5 1990

Dr. John Bartlett
Director
Office of Civilian Radioactive Waste Management
U.S. Department of Energy
Washington, D.C. 20585

Dear Dr. Bartlett:

SUBJECT: NRC STAFF COMMENTS ON DOE SITE CHARACTERIZATION PLAN (SCP) PROGRESS REPORT FOR PERIOD SEPTEMBER 15, 1988-SEPTEMBER 30, 1989

On March 2, 1990 the U.S. Department of Energy (DOE) transmitted the "Progress Report on the Scientific Investigation Program for the Nevada Yucca Mountain Site" (SCP Progress Report) for the period September 15, 1988-September 30, 1989 to the U.S. Nuclear Regulatory Commission (NRC). Following are the NRC staff comments on that Progress Report.

In the transmittal letter (Watkins to Carr, dated March 2, 1990) and in the Foreword, Executive Summary, and Introduction to the Progress Report, it is stated that the report has been prepared in accordance with the requirements of Section 113(b)(3) of the Nuclear Waste Policy Act of 1982 (NWPA). Although DOE does not make reference to requirements in NRC's regulation 10 CFR 60.18(g) specifying the schedule for issuance of progress reports and the contents of those reports, the description given by DOE of what the progress report contents should be appears generally consistent with the requirements of Part 60. In particular, DOE explicitly acknowledges the need to discuss the progress and results of site investigations, repository and waste-package designs, and performance assessments, as well as changes to DOE's site characterization program resulting from progress and results in those areas.

However, based on the NRC staff review of the subject Progress Report, it appears that the reporting of progress and results may not in actuality be wholly consistent with Part 60. For example, when reporting progress or work done in some area, DOE should not merely report that some particular work has been completed, but should also include significant results, at least in summary form, of the work completed. In addition, references to where details of the results can be found should be cited in the report. Of course, those references should be provided to NRC with the progress reports unless they have been previously provided or are available in the open literature. For the subject Progress Report, there are a number of references not provided to NRC that may be unavailable except through DOE. Also, computer codes referred to in the progress reports should be available to NRC upon request.

Another NRC staff observation related to what information needs to be reported is that all important site characterization activities should be included in

the progress reports. This includes the status of study plans under development and summary results of ongoing site monitoring activities, such as seismic, hydrological, and meteorological monitoring, which were not reported.

It was also noted by the NRC staff that the progress of and changes to the site characterization program would be most easily tracked by interested parties if reporting were done systematically down to the activity level as discussed in the SCP (e.g., Activity 8.3.1.2.1.3.1 - Assessment of Regional Hydrologic Data Needs in the Saturated Zone), a level of detail more closely related to the actual collection of data than the study level (e.g., Study 8.3.1.2.1.3 - Characterization of the regional ground-water flow system). This approach was adopted in the Yucca Mountain Project Technical Status Report (TSR) for April-September 1989, and the NRC staff considers it a simple but effective method for communicating progress in a large and complicated site characterization program.

One topic that is not mentioned in the Progress Report as needing to be covered is progress toward resolution of NRC Site Characterization Analysis (SCA) concerns. In Part 60.18(g), it is stated that "Other topics related to site characterization shall also be covered if requested by the Director." In my July 31, 1989 letter transmitting the NRC staff SCA of DOE's SCP, it was requested that DOE address progress on addressing NRC SCA concerns in SCP progress reports. Also, DOE should include similar information on NRC concerns regarding DOE's study plans communicated in letters to DOE. In addition, DOE should specify where within the progress reports information provided represents progress toward closing open items resulting from past NRC-DOE interactions or from NRC reviews of DOE documents.

This letter is intended to transmit the information contained within for DOE's use during preparation of future SCP progress reports. There is no need for DOE to respond to the observations herein unless it disagrees with them or needs clarification of them.

In closing, if DOE wishes to discuss with NRC any aspects of SCP progress reports, we are available to meet with you and your staff as needed. Mr. John Linehan of my staff (FTS 492-3387) can be contacted if there are any questions regarding this letter.

Sincerely,
(Signed) Robert M. Bernero

Robert M. Bernero, Director
Office of Nuclear Material Safety
and Safeguards

cc: R. Loux, State of Nevada
C. Gertz, DOE/NV
S. Bradhurst, Nye County, NV
M. Baughman, Lincoln County, NV
D. Bechtel, Clark County, NV
D. Weigel, GAO

CONTACT: _____ PHONE#: 504- _____ MAIL STOP: OWFN 4-H-3

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DOCUMENT NAME: Mr. John P. Roberts

DOCUMENT PREPARATION CHECKLIST
DIVISION OF HIGH-LEVEL WASTE MANAGEMENT

This checklist is to be submitted with each document sent for typing or for distribution

1. Is this document a final draft? Yes___ No X

2. If it is a final draft, does it have the concurrence of a Branch Chief or higher? Yes___ No X

3. Is this a ticketed item? If Yes, ticket number _____

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LPDR	Yes X	No___	E Stuzz	
CNWRA	Yes X	No___	C Haughney	
LLS	Yes X	No___	R Wright	
ACNW	Yes X	No___		
Proprietary	Yes ___	No ✓		
PreDecisional	Yes ___	No ✓		

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