

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

November 8, 1990

MEMORANDUM FOR: James M. Taylor
Executive Director for operations

Harold R. Denton, Director
Office of Governmental and Public Affairs

FROM: Samuel J. Chilk, Secretary

SUBJECT: SECY-90-331 - CONFORMITY OF GUIDANCE ON LOW-
LEVEL WASTE (LLW) DISPOSAL FACILITIES WITH
REQUIREMENTS OF 10 CFR PART 61

The Commission (with all Commissioners agreeing) has approved the staff's four recommendations with the following comments relative to each recommendation:

1. The comport issues in the guidance documents should be revised by January, 1991, as the staff proposed in the October 1, 1990 Commission briefing.
(EDO) (SECY Suspense: 1/31/91)
2. The staff should proceed in providing the States early notification of the planned corrective actions for the guidance documents within the next few weeks.
(EDO/GPA) (SECY Suspense: 11/23/90)
3. In formulating the rule change to include QA in 10 CFR 61.12(j), staff should explicitly consider how best to tailor the QA approach that has historically been used for nuclear power plants to address the special circumstances applicable to low-level waste disposal. QA requirements should be associated with the needs of low-level waste issues and not simply copied from requirements in the reactor arena.
(EDO) (SECY Suspense: 6/30/91)

SECY NOTE: THIS SRM, SECY-90-331, AND THE VOTE SHEETS OF COMMISSIONERS ROGERS, CURTISS AND REMICK WILL BE MADE

PUBLICLY AVAILABLE 10 WORKING DAYS FROM THE DATE OF THIS SRM

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4. Within budgeted resources, the staff should develop, as part of the planned revisions to the SRP, a separate section of the SRP which discusses the internal connections and relationships of the requirements within Part 61, specifically identifying the findings to be made under Section 61.23 on whether the overall performance objectives and other conditions are met for the issuance of a license for the disposal facility and addressing how individual modules in the SRP contribute to making those findings.

This section should be designed to accomplish the following.

- a. Inform the users of the role played by the evaluations undertaken in each of the individual modules of the SRP in making findings required by Part 61. This will specifically relate the contribution of individual modules in the SRP to the findings that must be made under Part 61 in order to license a disposal facility.
- b. Emphasize the importance of the hierarchical structure of Part 61, as well as the systems approach inherent therein, providing a logical basis for distinguishing between information essential to reaching a licensing decision on a proposed facility and information that is "nice to know" but not essential. This will also serve as a basis for addressing alternatives that might be proposed under 10 CFR 61.54 or 61.58 for waste form, site operations, or other components of the disposal system.
- c. Provide guidance for NRC reviewers and supervisors.

(EDO) (SECY Suspense: 9/30/91)

Without delaying the activities above, staff should also consider the need for an evaluation of the comportment of the Environmental Standard Review Plan, NUREG-1300 (ESRP) with Part 51. This consideration should include a determination, with the advice and cooperation of State Programs, whether there is sufficient interest to warrant an early completion of such a review, perhaps in time to permit the ESRP to be revised concurrently with the SRP.

(EDO) (SECY Suspense: 12/30/90)

cc: Chairman Carr
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
OGC
GPA