



Department of Energy

Washington, DC 20585

JUN 17 1991

Mr. John J. Linehan, Acting Director
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
Washington, DC 20555

Dear Mr. Linehan:

Enclosed is the third progress report entitled, "Site Characterization Progress Report: Yucca Mountain, Nevada, Number 3," for April 1, 1990, through September 30, 1990. This report is transmitted for your information to show the reformatting of the document and for information on the status of the study plans.

The U.S. Nuclear Regulatory Commission (NRC) comments on the first progress report (PR) (reference NRC letter to DOE; Bernero to Bartlett, dated June 25, 1990) centered around four major concerns, summarized as follows: (1) the relevance of the information in the PR to site characterization issues; (2) the completeness of data reported in the PR; (3) the level of detail in the PR; and (4) the status of NRC open items with regard to the Site Characterization Plan (SCP) or study plans.

When the NRC comments were received in July 1990, it was too late in the production cycle of the second PR to permit significant modification. However, the U.S. Department of Energy (DOE) believes that NRC concerns 2, 3, and 4 have been addressed in the third PR. The report was recently released to the public.

With respect to NRC's first concern, DOE agrees that the PR should report the significance of the work reported. However, please note that information reported in the PR includes the data, analyses, and conclusions that reside in the primary literature produced by project scientists. For such information, some discussion of important conclusions is desirable, but detailed discussion is deferred to the original reference. In addition, the eventual programmatic importance of such technical support documentation is not always immediately apparent, as the regulatory implications of technical data cannot be evaluated until after the studies have been completed. The PR role is an informational reference that is in addition to, and not a

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substitute for, other programmatic documents where the relationship of primary data to technical or licensing issues is dealt with. Similarly, the PR is not the mechanism for controlling changes to technical baselines, only to report when a change has been made.

With respect to NRC concerns 2 and 3, the level of detail of the PR has been expanded significantly to include a separate heading for each SCP study, activity, information need, and performance and design activity. In essence, the manner in which data were reported in the Yucca Mountain Site Characterization Project Office (YMPO) Technical Status Report (previously published separately) has been adopted for the PR.

With respect to NRC concern 4, PR tables 2.1 and 2.2 provide a status for NRC open items from comments on the SCP/Consultation Draft; the statutory SCP; the schedule for preparation, review, and approval of study plans; and various Exploratory Studies Facility open items. The tables provide a suggestion for a possible means of resolution for each of the items NRC has not indicated as closed. These suggestions are the means to continue a dialogue toward resolution and are not meant to indicate a committed DOE course of action.

An additional concern was expressed during a DOE/NRC management meeting held on January 24, 1991, with respect to the role of the PR in light of the DOE responses to comments in the Site Characterization Analysis (SCA). At issue was the relationship of the PR annotated bibliography with three management plans referenced in the DOE SCA responses and cover letter to the NRC.

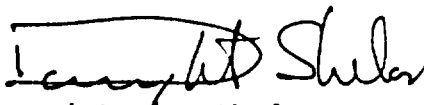
The PR bibliography section included publications of recent research and various studies carried out by scientists working for the U.S. Geological Survey, the national laboratories, and other DOE contractors that are supported by the Nuclear Waste Fund. These references are not part of the DOE document hierarchy of management plans. The bibliography is directed primarily at those in the technical community and the public who wish to be informed of recent work carried out by the Office of Civilian Radioactive Waste Management (OCRWM), and not exclusively at the NRC. This draft PR does not include a bibliography section, but instead references the Yucca Mountain Project (YMP) Bibliography, updates of which are published semiannually.

With respect to the reference and bibliography section of the PR, the NRC receives copies of all technical publications produced by YMPO participants at the following stations in Washington, DC: (1) Document Control Desk, (2) Senior Project Manager for Yucca Mountain Repository Project Branch, and (3) Repository Licensing and Quality Assurance Project Directorate, as well as the NRC

site representative in Las Vegas. Additional addresses could be added at NRC's request. Copies of all publications sponsored by the OCRWM are also available to the NRC through the Uniform Category (UC-800) standard distribution system. Additional copies of the items referenced in the PR and the bibliography can be obtained through the National Technical Information Service (NTIS) in Springfield, Virginia. The YMP Bibliography contains directions for acquiring all references contained in it through NTIS. DOE will forward copies to the NRC of any reference in the PR that is not available through the open literature, published symposia proceedings, or the standard channels for distribution of Government reports identified above. Such items would include, for example, uncontrolled copies of YMPO controlled documents.

Should you have any further questions in this regard, please contact Linda Desell of my office at (202) 586-1462.

Sincerely,



Dwight E. Shelor
Acting Associate Director for
Systems and Compliance
Office of Civilian Radioactive
Waste Management

Enclosure:

"Site Characterization Progress Report: Yucca Mountain,
Nevada, Number 3"

cc w/out Encl:
C. Gertz, YMPO
R. Loux, State of Nevada
K. Whipple, Lincoln County, NV
M. Baughman, Lincoln County, Nv
J. Bingham, Clark County, NV
D. Bechtel, Clark County, NV
S. Bradhurst, Nye County, NV
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R. Campbell, Inyo County, CA
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