

SUGGESTED QUESTIONS

**Nuclear Regulatory Commission
Public Meeting
Caliente, Nevada
June 17, 1999**

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Office
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General Questions

1. Will the Department of Energy (DOE) be required to obtain separate licenses to construct and to operate the Yucca Mountain repository?
2. What, if any, differences in criteria and guidelines will NRC apply to review of DOE license applications to construct and to operate the Yucca Mountain repository?
3. Please describe congressionally mandated timeframes for NRC review of DOE license applications to construct and to operate a repository at Yucca Mountain?
4. How will the Nuclear Regulatory Commission (NRC) deal with uncertainty in Department of Energy (DOE) estimates of site performance?
5. From a repository licensing perspective, how much uncertainty will NRC consider to be too much uncertainty?
6. What will NRC determine to be success in the first-of-a-kind licensing proceeding involving Yucca Mountain?
7. Will NRC measure success in the repository licensing proceeding from a process or an outcome perspective?
8. Will any analyses prepared by the Center For Nuclear Waste Regulatory Analysis (an NRC contractor) be included in DOE's license application submitted to NRC? Will this mean that NRC is reviewing its own information in the DOE license application?
9. Given the close working relationship between NRC and DOE on the Yucca Mountain project, what assurance can you provide that such interactions will serve to better protect public health?
10. Is transportation considered within the NRC licensing guidelines for the repository?

11. How, if at all, will off-site transportation be considered by NRC when considering whether or not to grant DOE a license to construct the repository?
12. How, if at all, will off-site transportation be considered by NRC when considering whether or not to grant DOE a license to operate the repository?
13. What precedents, if any, will the licensing process and outcome for the Independent Storage Facility proposal on the Goshute Indian Reservation in Utah have on NRC consideration of a license application for the Yucca Mountain site?
14. Please describe the role of intervenors in an NRC licensing proceeding and the process for becoming an intervenor?
15. Does a party have to be an intervenor to participate in the licensing hearings for the repository?
16. For which Key Technical Issues or subissues has the NRC determined that the issue is closed and that no further work is required by DOE?
17. Will NRC review and comment upon the draft Environmental Protection Agency standard for release of radiation from the repository when it is issued?
18. If NRC will review and comment upon the draft EPA standard, will NRC hold public hearings to help inform the nature of the NRC comments on the draft EPA standard?
19. How will NRC resolve differences of opinion between DOE and stakeholders?
20. What technical capabilities does NRC have to review transportation issues?
21. Are there any transportation related Key Technical Issues?
22. Will NRC provide comments to DOE's working draft license application to construct a repository at Yucca Mountain? If so, will NRC seek public input to help frame the Commission's comments?
23. To what extent can or will NRC impose conditions to possible DOE licenses to construct and operate a repository? Is it possible that such conditions could include a requirement for DOE to enhance and maintain emergency response and emergency medical capabilities in affected areas of Nevada?
24. If the three-year timeframe allowed by the Nuclear Waste Policy Act is insufficient for the NRC to review and act upon the DOE license application to construct the repository

will the NRC seek additional time? When will a determination that more time is required be made by NRC?

Questions Regarding the Yucca Mountain Environmental Impact Statement

25. The Nuclear Waste Policy Act requires that NRC, "to the extent practical", adopt the DOE environmental impact statement (EIS) for Yucca Mountain. What does the phrase "to the extent practical" mean to NRC?
26. Will NRC review the draft Yucca Mountain EIS and provide comments to the DOE? If so, will the NRC seek public input to help inform its comments?
27. Will NRC issue a Record of Decision in conjunction with adoption of the DOE EIS for Yucca Mountain?

Questions Regarding NRC's Proposed Revisions to 10 CFR Part 60

28. If the National Academy of Sciences (NAS) suggested in 1995 that 10-30 mrem/yr of exposure be allocated to high-level waste disposal why has the NRC selected 25 mrem rather than 10 mrem in its proposed revision to 10 CFR Part 60?
29. The NRC's explanation of the proposed rule published in the Federal Register notes that the 25 mrem was drawn from work done on the previously proposed monitored retrievable storage (MRS) system. However, the MRS was proposed and dropped from further consideration prior to the 1995 NAS study. Why did NRC elect to use information from dated MRS studies rather than more recent NAS work?
30. The proposed rule states in Section V. that the final dose limit proposed in the regulation will "fully" protect the public and the environment. What does the term "fully" mean? Does it mean no exposure, no acute or latent consequences, no biological damage, and/or no mortality?
31. Section 63.115 of the proposed regulation offers criteria for identifying a critical group and reference biosphere that the Nuclear Regulatory Commission believes provide a reasonable basis for demonstrating compliance and that preclude unbounded speculation. Does NRC believe that the imposition of a new regulation will remove speculation about the appropriateness of assumptions about who may get exposed and under what conditions?
32. The NRC assumed critical group is down-gradient from the repository from a hydrologic standpoint and is assumed to be exposed through contamination of groundwater. Why did NRC not consider a critical group located "downwind" from the repository exposed as a result of unanticipated atmospheric releases?

33. At Section 51.67 of the proposed regulation why has NRC not required that DOE include in its final environmental impact statement measures to mitigate impacts, including those relating to transportation aspects of the waste management system.
34. The proposed explanation of the revision states on page 8646 that the Yucca Mountain climate could become cooler and wetter during the next ice age. Has the NRC determined with certainty that another ice age will occur, particularly during the life of the repository?
35. Page 8647 of the explanation of the revised regulation notes that the Waste Isolation Pilot Project (WIPP) and Yucca Mountain are similar, making EPA standards already promulgated for WIPP a likely model for Yucca Mountain. In what ways does NRC view Yucca Mountain and WIMP to be similar? Are there notable dissimilarities between the two sites?
36. At Section 63.61 why does the proposed regulation not include provision of "timely and complete information" to affected units of local government?
37. At Section 63.63 why does the determination that the State of Nevada and any affected Indian Tribe shall have an unquestionable legal right to participate as a party not also include affected units of local government?