

SEP 22 1993

Mr. Dwight E. Shelor, Associate Director
 for Systems and Compliance
 Office of Civilian Radioactive Waste Management
 U. S. Department of Energy
 1000 Independence Avenue, SW
 Washington, DC 20585

Dear Mr. Shelor:

SUBJECT: YUCCA MOUNTAIN SITE CHARACTERIZATION PROJECT TECHNICAL REVIEWS

The purpose of this letter is to open a dialogue between the U.S. Nuclear Regulatory Commission staff and U.S. Department of Energy (DOE) on the staff's need to observe DOE technical review activities of ongoing Exploratory Studies Facilities (ESF) construction, similar to the observations of quality assurance (QA) audits. Such observations are covered under Title 10 Code of Federal Regulations (10CFR) 60.18 (h), which states that "during the conduct of site characterization activities, the NRC staff shall be permitted to visit and inspect the locations at which such activities are carried out and to observe excavations, borings, and in situ tests as they are done."

As you know, in the past five years, the NRC staff has observed numerous QA audits and surveillances in order to determine whether the DOE and its program participants are properly implementing QA program requirements in accordance with 10CFR Part 60, Subpart G (which references 10CFR Part 50 Appendix B). The NRC staff has also conducted two of its own audits to evaluate whether QA program requirements are being properly implemented. On both the NRC staff audits and the DOE and participant audits and surveillances, the NRC staff has observed that most of the work activities have either been reviewed "after the fact" or have consisted mainly of a programmatic review, i.e., very little ongoing work has actually been observed by either the DOE or NRC staff audits or surveillances.

The staff believes that it is necessary to review and evaluate DOE's site characterization activities, such as drilling, logging, trenching, mapping, field design changes and construction of the ESF in greater detail and a more timely fashion. In view of the present work activities being conducted for the ESF construction, such as shotcreting, rock bolting, design, and design changes, the staff wishes to discuss with DOE what type of construction review program, both programmatic and technical, is currently in effect, and what is planned for future site characterization activities.

To avoid disruption of site characterization activities, the staff would prefer to integrate these reviews with DOE technical reviews, similar to the current practice of observing QA audits. Therefore, the staff is requesting that DOE evaluate its current technical review activities to determine which

240005
 9309280051 930922
 PDR WASTE
 WM-11 PDR

102.8
 WM-11
 N416

1/0

activities could reasonably afford NRC staff the opportunity to observe site characterization activities and interact with DOE and its contractors in an efficient manner. Considering the NRC staff's interest in the ongoing ESF construction, we have included as an agenda item in the forthcoming October 4-5, 1993, ESF Technical Exchange, a discussion on the construction and construction inspection. The staff believes that this agenda item may provide an opportunity for discussion relative to the concerns expressed in this letter.

If you have any questions, please feel free to contact Mr. Ken Hooks of my staff at (301) 504-2447.

Sincerely,

(S)

Joseph J. Holonich, Director
 Repository Licensing and Quality Assurance
 Project Directorate
 Division of High-Level Waste Management
 Office of Nuclear Material Safety
 and Safeguards

- cc: R. Loux, State of Nevada
- T. J. Hickey, Nevada Legislative Committee
- J. Meder, Nevada Legislative Counsel Bureau
- C. Gertz, DOE/NV
- M. Murphy, Nye County, NV
- M. Baughman, Lincoln County, NV
- D. Bechtel, Clark County, NV
- D. Weigel, GAO
- P. Niedzielski-Eichner, Nye County, NV
- B. Mettam, Inyo County, CA
- V. Poe, Mineral County, NV
- F. Sperry, White Pine County, NV
- R. Williams, Lander County, NV
- L. Fiorenzi, Eureka County, NV
- J. Hoffman, Esmeralda County, NV
- C. Schank, Churchill County, NV
- L. Bradshaw, Nye County, NV

DISTRIBUTION

| | | | |
|--------------------|----------------|-----------------|--------------|
| CNwRA | NMSS R/F | HLPD R/F | LSS |
| LPDR | ACNW | PDR | CENTRAL FILE |
| BJYoungblood, HLWM | JLinehan, HLWM | JHolonich, HLPD | On-Site Reps |

| | | | | | | | | |
|------|-----------|--------------------|------------|--------------------|-----------|--------------------|-----------|--------------------|
| OFC | HLPD | <i>E</i> | HLPD | <i>E</i> | HLGE | <i>E</i> | HLGE | <i>Raj</i> |
| NAME | WBeike/dh | <i>[Signature]</i> | KHooks | <i>[Signature]</i> | WBoyle | <i>WB</i> | MNataraja | <i>[Signature]</i> |
| DATE | 09/21/93 | <i>[Signature]</i> | 09/21/93 | <i>[Signature]</i> | 09/21/93 | <i>[Signature]</i> | 09/21/93 | <i>[Signature]</i> |
| OFC | HLGE | <i>E</i> | HLHP | <i>[Signature]</i> | HLPD | <i>C</i> | | |
| NAME | RBallard | <i>[Signature]</i> | MFederline | <i>[Signature]</i> | JHolonich | <i>[Signature]</i> | | |
| DATE | 09/21/93 | <i>[Signature]</i> | 09/21/93 | <i>[Signature]</i> | 09/22/93 | <i>[Signature]</i> | | |

C-COPY E = COVER & ENCLOSURE N = NO COPY
 s:\INSPECT.WB OFFICIAL RECORD COPY