

DOE SCA COMMENT 128 LETTER/

MAY 11 1990

- 1 -

Mr. Ralph Stein, Associate Director
for Systems Integration and Regulations
Office of Civilian Radioactive Waste Management
U.S. Department of Energy, RW-30
Washington, D.C. 20585

Dear Mr. Stein:

I am responding to the U.S. Department of Energy's (DOE) letter (Appel to Linehan, dated February 27, 1990) in which DOE provides information that it considers adequate to resolve the U.S. Nuclear Regulatory Commission's (NRC) Site Characterization Analysis (SCA) Comment 128. Comment 128 cites 11 applicable 10 CFR Part 60 requirements that were not considered by DOE in evaluating the acceptability of the Exploratory Shaft Facility (ESF) Title I design presented in the Site Characterization Plan (SCP).

DOE considers that the February 27, 1990 letter resolves Comment 128 by providing (1) further clarification on its overall approach used in the past to determine the applicability of all 10 CFR Part 60 requirements, in particular the 11 requirements in question, to the ESF; and (2) the application of these requirements in the current ESF Alternate Strategy Study. Based upon the assurance in the letter that the Office of Civilian Radioactive Waste Management (OCRWM) has directed the Yucca Mountain Project Office to consider the 11 requirements in question in the ESF Alternate Strategy Study, NRC recognizes that these and other applicable requirements may be appropriately considered in the study.

Hence, NRC has no concerns with the material presented in DOE's February 27, 1990 letter as long as the approach to consideration of the 10 CFR Part 60 requirements in question is implemented in the ESF Alternate Strategy Study. However, Comment 128 will remain open until DOE demonstrates adequate consideration of 10 CFR Part 60 requirements in the final study.

If you have any questions concerning this letter, please contact King Stablein (FTS 492-0446) of my staff.

Sincerely,

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

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ENCLOSURES		FILE CODE:	extended to 5/04 WD	
REMARKS		REFERRED TO	DATE	RECEIVED BY
		JLinehan		extended to 5/18 WD
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