

FEB 20 1991

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Mr. Dwight E. Shelor, Acting Associate Director
for Systems and Compliance
Office of Civilian Radioactive Waste Management
U. S. Department of Energy, RW 30
Washington, D.C. 20585

Dear Mr. Shelor:

SUBJECT: MINUTES FROM THE JANUARY 24, 1991 LICENSING AND MANAGEMENT MEETING

Enclosed are the minutes from the January 24, 1991 licensing and management meeting held between the staff of the U.S. Nuclear Regulatory Commission (NRC), representatives from the U.S. Department of Energy (DOE), and the State of Nevada. At the meeting, the NRC staff and DOE discussed a number of topics covering the status of DOE's management system improvement strategy, the status of the Office of Civilian Radioactive Waste Management meetings with the Waste Isolation Pilot Plant, the results of DOE's strategic principles meeting, the status of the Site Characterization Plan Progress Reports, and the need for an integrated schedule.

If you have any questions, please feel free to contact the responsible NRC staff member for the meeting, Mr. Joe Holonich. Mr. Holonich can be reached at (301) 492-3403 or FTS 492-3403.

Sincerely,

for ORIGINAL SIGNED BY *Joe Holonich*

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

Enclosure: As Stated

- cc: R. Loux, State of Nevada
- C. Gertz, DOE/NV
- S. Bradhurst, Nye County, NV
- M. Baughman, Lincoln County, NV
- D. Bechtel, Clark County, NV
- D. Weigel, GAO

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Enclosure

Meeting Minutes from the January 24, 1991
Licensing and Managing Meeting

On January 24, 1991, staff from the U.S. Nuclear Regulatory Commission (NRC) met with representatives from the U.S. Department of Energy (DOE) and the State of Nevada at the monthly licensing and management meeting. The purpose of the meeting was to discuss topics related to the high-level waste repository that are of mutual concern to both NRC and DOE. Attached is a list of attendees.

The first topic discussed at the meeting dealt with DOE providing an overview of the strategic principles meetings held in December 1990 and January 1991. Attendance at this meeting included representatives from all of the stake holders in the high-level waste program and Congressional staff. Based on the results of the meeting, the Director of DOE's Office of Civilian Radioactive Waste Management (OCRWM) believed that they had gone very well, and were a good means of soliciting a wide variety of views on the strategic principles. DOE further stated that it was committed to another meeting during April 1991 that would pull together the input received during the two meetings and have the DOE document reviewed by the meeting attendees to ensure that those statements credited to them were correct. The approach used by DOE in the workshops was a new mode of operation that allows for the stake holders to become involved in the pre-decisional activities. DOE stated that the OCRWM director no longer wanted to work under the DAD approach, decide, announce, and defend.

DOE went on to state that input received from the workshops would be used in preparing a draft Mission Plan Amendment. The tentative schedule for this amendment was the later part of calendar year 1991, most likely late fall. The NRC staff indicated support for DOE's efforts. It also noted that some of the same NRC issues reoccurred on review of previous Mission Plan updates and Project Decision Schedules. Therefore, the NRC staff requested that DOE should consider previous comments in preparing the next amendment.

The next presentation made by DOE was an overview of DOE's management system improvement strategy that is being used by DOE to perform a system's engineering functional analysis of the repository. At present, DOE reported that it was doing a functional analysis for the physical repository systems, and looking for ways to use the analysis on the operations for the repository. Overall, DOE reported that for the physical systems, it had done the analysis down to two levels for those systems needed to receive waste. In addition, DOE stated that it would be doing a functional analysis of the Exploratory Shaft Facility (ESF), and expected to have that complete by July 1991. Finally, DOE stated that the functional analysis was being done in parallel with other groups in OCRWM, and was being developed as a standard way of doing business. When complete, DOE expected to establish the requirements and constraints for the repository systems.

The third topic discussed was the status of OCRWM's effort in preparing for the round table discussions covering the experience OCRWM was gaining from the Waste Isolation Pilot Plant (WIPP). During this discussion, DOE reported that the

original round table discussion was intended to be on the WIPP experience on implementing the U.S. Environmental Protection Agency standards in 40 CFR Part 191. However, DOE was just starting to explore some other suggested topics, and had completed a recent review of WIPP documents. Some potential topics identified by DOE were in the performance assessment area and included: (1) scenario development; (2) uncertainty analysis; (3) sensitivity analysis; and (4) modeling approach. In addition, DOE identified the issue of institutional controls as a potential topic. The NRC staff noted that another potential topic that should be included was the performance confirmation work being done by WIPP.

In addition to identifying potential topics, DOE noted that the main focus of the discussion would be performance assessment because that was the most appropriate topic. However, other topics were being explored that covered different issues. DOE also noted that the topics identified may be too wide ranging for one meeting. However, this discussion should be viewed as the beginning of interactions between WIPP and OCRWM. NRC and the public will be invited to some of these interactions.

Next, both the NRC staff and DOE presented information on the Site Characterization Plan (SCP) Progress Report. First, the NRC staff provided feedback to DOE on its review of the first SCP Progress Report received. Overall, the NRC staff reported that it had identified concerns with the structure and contents of the progress reports. It found that DOE had not demonstrated how it would address the information required by 10 CFR 60.18. In addition, there was not information in the progress report showing how DOE had addressed the Site Characterization Analysis (SCA) comments as requested by the Office of Nuclear Material Safety and Safeguards Director in his letter transmitting the SCA to DOE. In its letter transmitting the NRC comments on the SCP, the NRC staff identified a number of types of information that it would expect to find in the progress reports. The NRC staff noted that if DOE disagreed with these, the NRC staff wanted to know. However, in the interim, the NRC staff had received the second SCP Progress Report and found that DOE had not addressed any issues NRC raised on the first progress report, nor provided a summary of the status of NRC concerns.

As part of its presentation, the NRC staff reiterated what information it expected to see in SCP Progress Reports. This included:

- (1) significant results of work completed and reference where the details of that work can be found;
- (2) inclusion of all important site characterization activities, including the development of study plans and the results of any ongoing monitoring activities;
- (3) a report of progress towards resolution of NRC concerns; and
- (4) a bibliography containing a relationship of the reports referenced there to the site characterization activities as well as a discussion of the significance of these reports. (The NRC staff wanted to avoid the present

situation where it just receives copies of DOE and contractor reports with no indication of their significance to the progress, and, for the contractor reports, no indication of DOE's position on the material and positions.)


In response to these points, DOE stated that the draft of the third SCP Progress Report includes major changes in format. DOE believes this reformatting will respond to the NRC staff's comments. It further stated that this third progress report did include information on the status of study plan development status; therefore, it would be different form the first two progress reports. In response to the NRC staff's concern that there was no discussion of the significant results of work completed, DOE stated that there could be a time lapse between when the work completed and the results would be available. Thus, there would be a delay in when DOE could report the results in a progress report.

The final topic on the agenda for the meeting was the NRC staff's desire to have an integrated schedule provided by DOE. In response to this request, DOE stated that there were two issues that needed to be addressed before it could prepare the schedule. First, it was unclear what effect the ESF alternatives study would have on the schedule, and second what effect budget changes would have. DOE did state that the near-term schedule for the overall program was provided in its November 1989 report to Congress. Although the NRC staff acknowledged the fact there was a schedule in the Congressional report, it identified the fact that there were three aspects to the integrated schedule. First, there was the overall integrated schedule for the entire program. Next, there was the short-term schedule that identified what would occur over the next couple of months. This schedule was helpful for planning purposes. Finally, there was the schedule that focused on the specific activities that would occur for all program areas.

This third schedule would cover specific plans and activities for particular areas such as the ESF. It would be like the detailed schedule developed by the NRC staff and DOE for the quality assurance reviews being performed. In general, the NRC staff found that that chart helped to focus the activities that needed to be accomplished. DOE agreed to review the staff's request and report back at the next monthly management meeting.

The last topic discussed was a question from the NRC staff dealing with the nuclear waste negotiator. The NRC staff noted that the negotiator was planning to issue packages of criteria for the repository and monitored retrievable storage facility. Based on this information, the staff questioned DOE as to what information the negotiator might be expecting of it. DOE responded that it did not know, but would provide information available to it to the NRC staff.


Joseph J. Holonich
Office of Nuclear Material Safety
and Safeguards
U.S. Nuclear Regulatory Commission


Linda Deseff
Office of Civilian Radioactive
Waste Management
U.S. Department of Energy

Attachment

List of Attendees

NRC

J. Holonich
J. Roberts
K. Stablein
J. Bunting
D. Brooks
R. Ballard
P. Prestholt
J. Linehan
R. Browning

State of Nevada

C. Johnston*

* Via telephone

DOE

L. Desell
D. Shelor
M. Blanchard
S. Brocoum
D. Dobson*
T. Bjerstedt*

Winston and Strann

S. Echols