



**Department of Energy**

Washington, DC 20585

October 30, 1998

Mr. Michael J. Bell  
Acting Chief, Performance Assessment and High-Level Waste Integration Branch  
Division of Waste Management  
Office of Nuclear Materials Safety and Safeguards  
U.S. Nuclear Regulatory Commission  
Washington D.C. 20555-0001

Subject: Office of Civilian Radioactive Waste Management Administrative Procedure AP 32.6,  
*Reporting of Defects and Noncompliance to Meet the Intent of 10 CFR Part 21*

Dear Mr. Bell:

On March 18, 1997, the Office of Civilian Radioactive Waste Management (OCRWM) provided the U. S. Nuclear Regulatory Commission (NRC) with an information copy of its Administrative Procedure, AP 32.6, *Reporting of Defects and Noncompliance to Meet the Intent of 10 CFR Part 21*. At that time, OCRWM elected to voluntarily apply the evaluation and reporting requirements of 10 CFR Part 21 to the Program, although 10 CFR Part 21 would not formally apply until the NRC issues a construction authorization for a monitored geologic repository or interim storage facility, or a certificate of compliance for a storage or transportation cask.

In response to discussions with your staff at the May 18, 1997, meeting on quality assurance and your letter of November 28, 1997, which provided your comments on AP 32.6, OCRWM intends to postpone the voluntary implementation of the procedure until the Yucca Mountain Site Characterization Project commences long lead-time procurement activities for the monitored geologic repository. With respect to transportation and storage activities, should we receive Congressional direction to proceed, OCRWM will implement 10 CFR Part 21 consistent with the requirements of 10 CFR Parts 71 and 72.

Once the decision is made to implement the requirements of 10 CFR Part 21, OCRWM will revise AP 32.6 to address your comments. We will keep the NRC apprised of our plans. Should you have any questions, please contact me (202-586-4973) or Nancy Slater (202-586-9322) of my staff.

Sincerely,

Alan Brownstein, Director  
Regulatory Coordination Division  
Office of Civilian Radioactive Waste  
Management

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