

JUL 23 1991

DBA/ROC STATUS DOE LTR

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Dr. John W. Bartlett, Director  
Office of Civilian Radioactive  
Waste Management  
U.S. Department of Energy RW-1  
Washington, D.C. 20585

Dear Dr. Bartlett:

SUBJECT: STATUS OF THE U.S. DEPARTMENT OF ENERGY'S PETITION ON A DESIGN  
BASIS ACCIDENT DOSE LIMIT FOR A GEOLOGIC REPOSITORY FOR HIGH-LEVEL  
RADIOACTIVE WASTE [DOCKET NO. PRM-60-3]

The purpose of this letter is to apprise you of the status of the U.S. Department of Energy's (DOE's) April 19, 1990, petition to the U.S. Nuclear Regulatory Commission (NRC) requesting that it amend 10 CFR Part 60 to include specific dose criteria for design basis accidents.

Following the receipt of DOE's petition, the NRC noticed its receipt in the Federal Register on July 13, 1990 (55 FR 28771-28773). In its Federal Register announcement, the NRC staff described DOE's petition and noted that its subject matter was closely related to a rulemaking action currently under consideration by the staff. The staff described both DOE's petition and NRC's related regulatory initiative, and solicited public comments with respect to each. On November 26, 1990, DOE provided specific comments with respect to NRC's related regulatory initiative. As of this time, no other comments have been received with respect to DOE's petition and no additional public comments have been received relative to NRC's related regulatory initiative.

At present, the staff is conducting the necessary technical work that it would use to support both its position regarding a specific dose criteria in 10 CFR Part 60 and its views with respect to DOE's petition. Please be advised that the NRC staff is continuing to evaluate the merits of both DOE's petition and the November 26, 1990, letter as it pursues its related regulatory initiative. Upon completion of the necessary technical background work, the staff will develop its position which may include a recommendation to the Commission to proceed with rulemaking. The staff expects to respond to DOE's petition following its recommendation to the Commission.

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Please contact Mr. Joseph J. Holonich of my staff if we may be of additional assistance to you in this matter. Mr. Holonich can be reached at 301/492-3403 or FTS 492-3403.

Sincerely,

(Signed) Robert M. Bernero

Robert M. Bernero, Director  
Office of Nuclear Material Safety  
and Safeguards

- 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
- C. Thistlethwaite, Inyo County, CA

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