

JUL 13 1992

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Mr. John P. Roberts, Acting Associate Director
for Systems and Compliance
Office of Civilian Radioactive Waste Management
U.S. Department of Energy
1000 Independence Ave, SW
Washington, DC 20585

Dear Mr. Roberts:

SUBJECT: COMMENTS ON THE APRIL 17, 1992, VERSION OF "MGDS ANNOTATED OUTLINE SKELETON TEXT FOR THE PREPARATION OF A LICENSE APPLICATION"

The staff of the Nuclear Regulatory Commission has reviewed the subject document and finds that it generally follows the format of DG-3003, "Format and Content of the License Application for the High-Level Waste Repository." With the exception of Chapter 5, the NRC staff finds that "MGDS Annotated Outline Skeleton Text for the Preparation of the License Application" (AO) does not contain sufficient data to warrant comments on its content. The staff's specific comments on Chapter 5, "Engineered Barrier Systems" are provided as Enclosure 1. During the discussions on the AO initiative at the June 3, 1992, technical exchange, I requested that the DOE representatives explain what type of review was wanted from the NRC staff for future iterations of the AO. As was discussed at the February 6, 1992, meeting on issue resolution, the focus of NRC staff reviews during prelicensing is on the review of programs, plans, assumptions, interpretations, and methodologies, not on the adequacy of compliance with 10 CFR Part 60. If this is not your understanding or not consistent with the review DOE expects on the AO, DOE should provide the staff with a description of the type of review it anticipates.

Th NRC staff has previously provided general and specific comments on the AO initiative in a February 6, 1992, management meeting; the June 3, 1992, technical exchange; and in my letter to you dated May 22, 1992. These comments should be considered with those in the enclosure in developing future versions of the AO. If you have any questions about NRC staff comments on the AO initiative, please contact Charlotte Abrams of my staff at (301) 504-3403.

Sincerely,

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

Enclosure: As stated

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NRC STAFF COMMENTS ON THE APRIL 17, 1992
SKELETON ANNOTATED OUTLINE

Section 5.1.2 Waste Form Characteristics And Acceptance

AO COMMENT 1

The AO does not discuss the potential for disposal in the repository of waste forms other than spent fuel and high-level waste glass.

BASIS

- 10 CFR Part 60 permits the disposal of waste forms other than spent fuel and high-level waste and recognizes the possible need for specific waste package design criteria for repository disposal of these other radioactive wastes.
- 10 CFR Part 61 states that GTCC wastes are not generally acceptable for near surface disposal and that such wastes must be disposed of in a geologic repository unless the Commission approves proposed alternatives for disposal.
- If DOE plans to dispose of waste forms other than spent fuel and high-level waste glass in the geologic repository, DOE will need to describe the characteristics and volumes of such wastes and demonstrate compliance, as appropriate, with waste package and engineered barrier system design and performance requirements.

RECOMMENDATION

If DOE plans to dispose of any waste forms other than spent fuel and high-level waste glass in the geologic repository, include appropriate discussion in Section 5.1.2.

Section 5.1.5.2 Effluent Release and Contamination

AO COMMENT 2

This Section discusses potential impacts to the accessible environment from post-closure releases from the repository. However, Section 5.1.5 of the draft Format and Content Guide (DG-3003), is only intended to address radiation protection issues during the period of operations prior to closure.

BASIS

- Section 5.1.5.2 discusses potential impacts to the accessible environment from post-closure releases from the repository and corresponding compliance with 40 CFR Part 191.**
- Radiation protection relates to maintaining radiological safety to workers and the public as a result of normal repository operations, anticipated operational occurrences and possible accident conditions prior to closure.**

RECOMMENDATION

Revise the discussion in Section 5.1.5.2 to address the measures provided to maintain radiological safety during the operational period of the repository prior to closure.

Section 5.2.2.2 Release Rate Performance Objective

AO COMMENT 3

Section 5.2.2.2 includes a discussion of performance assessments to address the requirements of 40 CFR 191.13. However, Section 5.2.2.2 of DG-3003 is only intended to address the Engineered Barrier System (EBS) subsystem release rate requirement of 10 CFR 60.113(a)(1).

BASIS

- Section 5.2.2.2 includes a discussion of performance assessments to address the requirements of 40 CFR 191.13, including releases to the accessible environment.**
- Section 5.2.2.2 of the draft Format and Content Guide was only intended to address the EBS release rate requirement of 10 CFR 60.113(a)(1). Overall system performance is addressed in Section 6 of DG-3003.**

RECOMMENDATION

Revise Section 5.2.2.2 to address only the EBS release rate requirement.