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OCT 27 1986

Mr. James Knight, Director  
Licensing and Regulatory Division  
Office of Civilian Radioactive Waste Management  
U.S. Department of Energy  
Washington, DC 20585

Dear Mr. Knight:

The purpose of this letter is to follow-up on Open Item Number 5 identified in the meeting minutes of the July 31, 1986 NRC/DOE meeting on the Waste Acceptance Process and to expand on one point discussed at the meeting. The open item deals with NRC Division of Waste Management (DWM) and NRC Office of General Counsel (OGC) concurrence on DOE's approach and testing program for qualifying glass for disposal in the repository. The other point we would like to expand on is future meetings on DOE's glass waste facilities.

In Open Item Number 5, DOE requested DWM and OGC concurrence on the DOE's Waste Acceptance Process Specifications (WAPS) and the approach and testing program for qualifying the glass for disposal in the repository. The DWM staff will evaluate DOE's approach and testing program, including specifications provided in the Site Characterization Plans (SCP), the performance goals to be proposed for elements of the waste package by DOE, and the qualification programs described in the WAPS. In performing this evaluation, the DWM staff will consult with the OGC legal staff on any areas where legal review is needed. While DWM staff is committed to working towards reaching early agreement on issues, such as qualification of glass, it must be recognized that any NRC staff level position or agreement, even with OGC concurrence may be subject to litigation during the licensing hearing unless it is closed through a formal mechanism such as rulemaking. Once a staff level agreement is reached on glass qualification, we should consider whether it is appropriate to formally close out this topic.

As you know, we have proposed a meeting in December in Washington, DC to discuss the vitrification process at the Defense Waste Processing Facility. The purpose of this meeting is to get up-to-date information on the vitrification process to help us prepare for review of the SCP and Glass Qualification and Testing Programs. The topics for discussion would include the vitrification process, process control programs, sampling programs, and glass tests and data. The latter item would include summarization of the current leach test data, the status of models to predict leaching behavior, plans for tests to develop leaching data for periods longer than one year, and any additional data that DOE feels are required. We would also like to discuss future interactions to resolve outstanding issues identified in the July 31, 1986 meeting as reserved items, a future meeting related to the West Valley Demonstration Project, and a schedule for on-site visits to glass waste

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facilities. The purpose of the site visits would be to observe the practices and controls that the DOE utilizes in its glass waste form programs.

We hope this clarifies our position on these topics. If you have any questions please call Bill Lilley at 427-4798.

Sincerely,

*Original Signed By:*

John J. Linehan, Acting Chief  
Repository Projects Branch  
Division of Waste Management  
Office of Nuclear Material Safety  
and Safeguards

\*See previous concurrence

OFC	:WMRP:vkg	:WMRP	:WMEG	:WMEG	:ELD	:WMRP	:
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DATE	:86/09/16	:86/09/16	:86/09/17	:86/09/17	:86/10/22	:86/10/27	:

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*Wolf concur by phone*

NRC involvement and risks associated with defending their facilities' QA operations in licensing without NRC staff support.

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Sincerely

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John J. Linehan, Acting Chief  
Repository Projects Branch  
Division of Waste Management  
Office of Nuclear Materials Safety  
and Safeguards

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