



Department of Energy

Office of Civilian Radioactive Waste Management
Yucca Mountain Site Characterization Office
P.O. Box 98608
Las Vegas, NV 89193-8608

WBS 1.2.5.7
QA: N/A

OCT 12 1995

Joseph J. Holonich, Chief
High-Level Waste and Uranium
Recovery Projects Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555

U.S. DEPARTMENT OF ENERGY (DOE) ACTIONS ON SITE CHARACTERIZATION ANALYSIS (SCA) OPEN ITEMS DURING FISCAL YEARS (FY) 1992, 1993, 1994, AND 1995 (SCPB: N/A)

The U.S. Nuclear Regulatory Commission (NRC) provided an evaluation of DOE's December 14, 1990, responses to the 2 objections, 133 comments, and 63 questions in the SCA (NUREG-1347) in an enclosure to a letter dated July 31, 1991. On the basis of the DOE December 1990 responses, NRC closed 59 comments and questions and established the remaining 139 as open items.

During FY 1992, the DOE provided documentation reporting additional information or actions taken toward resolving 24 open items. During FY 1993, the DOE provided similar information on 17 open items. During FY 1994, DOE provided information on 24 open items, and during FY 1995, DOE provided information on 5 open items.

Our records show that the NRC has concurred upon the proposed resolution for 1 open item in FY 1992, 18 open items in FY 1993, 5 open items in FY 1994, and 7 open items in FY 1995.

Enclosed (enclosure 1) is a DOE/NRC correspondence log that reports the actions taken with respect to all SCA open items since DOE's initial December 1990 responses.

At the end of fiscal year 1993 and 1994, we asked for a verification of this report (enclosures 2 and 3). We would appreciate confirmation that the reported data is correct or if any discrepancies are present. Absent a response to these

170162

YMP-5

9510180222 951012
PDR WASTE PDR
WM-11

NH03
102.8
Wm H

OCT 12 1995

letters, DOE asked NRC at the May 4, 1995, technical exchange on licensing in Las Vegas, Nevada, if they would make output from their open item tracking system available to DOE so we could do this comparison ourselves. We have yet to receive a formal response to the enclosed letters or to our May 4, 1995, verbal request.

If you have any questions, please contact Thomas W. Bjerstedt at (702) 794-7590.



Stephan J. Brocoum
Assistant Manager for
Suitability and Licensing

AMSL:TWB-162

Enclosures:

1. Correspondence/Action Log
2. Ltr, 11/19/93, Shelor to
Holonich, w/encls
3. Ltr, 9/26/94, Kouts to
Holonich, w/encls

OCT 12 1995

Joseph J. Holonich

-3-

cc w/encls:

L. H. Barrett, HQ (RW-2) FORS
R. A. Milner, HQ (RW-30) FORS
A. B. Brownstein, HQ (RW-36) FORS
C. E. Einberg, HQ (RW-36) FORS
Samuel Rousso, HQ (RW-40) FORS
M. S. Delligatti, NRC, Washington, DC
W. D. Barnard, NWTRB, Arlington, VA
R. R. Loux, State of Nevada, Carson City, NV
Robert Price, State of Nevada, Carson City, NV
Cyril Schank, Churchill County, Fallon, NV
D. A. Bechtel, Clark County, Las Vegas, NV
J. D. Hoffman, Esmeralda County, Goldfield, NV
Eureka County Board of Commissioners, Eureka, NV
B. R. Mettam, Inyo County, Independence, CA
Lander County Board of Commissioners, Battle Mountain, NV
Jason Pitts, Lincoln County, Pioche, NV
V. E. Poe, Mineral County, Hawthorne, NV
L. W. Bradshaw, Nye County, Tonopah, NV
Florindo Mariani, White Pine County, Ely, NV
P. A. Niedzielski-Eichner, Nye County, Chantilly, VA
William Offutt, Nye County, Tonopah, NV
P. M. Dunn, M&O, Vienna, VA
C. L. Sisco, M&O, Washington, DC
R. I. Holden, National Congress of American Indians,
Washington, DC
Elwood Lowery, Nevada Indian Environmental Coalition,
Reno, NV
M. A. Lugo, M&O, Las Vegas, NV
E. F. O'Neill, M&O, Las Vegas, NV
J. L. Younker, M&O, Las Vegas, NV
S. P. Nesbit, M&O, Las Vegas, NV
S. B. Jones, YMSCO, NV
D. R. Williams, YMSCO, NV
R. L. Craun, YMSCO, NV
J. M. Replogle, YMSCO, NV
P. D. Stucker, YMSCO, NV
S. J. Brocoum, YMSCO, NV
R. V. Barton, YMSCO, NV
A. V. Gil, YMSCO, NV
C. M. Newbury, YMSCO, NV
C. L. Hanlon, YMSCO, NV

DOE/NRC CORRESPONDENCE LOG OF SCA OPEN ITEM ACTIONS

NRC and DOE actions taken since DOE responded to SCA on 12/14/90.

- 7/31/91 Ltr. Bernero to Bartlett
(NRC closes 59 comments and questions based on DOE's 12/14/90 responses)
- 12/16/91 Ltr. Roberts to Linehan
(DOE advocates closure of Q 1 in responses to NRC comments on Study Plan 8.3.1.17.4.6)
- 3/2/92 Ltr. Bernero to Bartlett
(NRC lifts Objection 2)
- 3/3/92 Ltr. Roberts to Linehan
(DOE advocates closure of Obj. 1, C 12, C 16, C 34, C 35, C 57, C 72, C 127, C 128, C 130, C 132 & Q 28 & Q 61)
- 7/23/92 Ltr. Roberts to Holonich
(DOE advocates closure of C 42 and C 43)
- 9/16/92 Ltr. Roberts to Holonich
(DOE advocates closure of Q 31)
- 8/31/92 Ltr. Roberts to Holonich
(DOE advocates closure of C 100, C 104, C 106, C 108, C 110, C 112 & C 113)
- 11/2/92 Ltr. Bernero to Bartlett
(NRC lifts Obj. 1, closes C 12, C 16, C 35, C 57, C 72, C 127, C 128, C 132 & Q 61)
- 1/7/93 Ltr. Roberts to Holonich
(DOE advocates closure of C 21 & C 22)
- 2/8/93 Ltr. Holonich to Roberts
(NRC closes C 100, C 104, C 106, C 108, C 110, C 112 & C 113)
- 2/5/93 Ltr. Roberts to Holonich
(DOE advocates closure of C 53, Q 14 & Q 15)
- 3/24/93 Ltr. Shelor to Holonich
(DOE advocates closure of Q 17 & Q 57)
- 4/13/93 Ltr. Shelor to Holonich
(DOE advocates closure of Q 25)

4/21/93 Ltr. Holonich to Shelor
(NRC agrees SCA Q 17 is resolved in Phase I review
letter for Study Plan 8.3.1.2.4.3)

5/5/93 Ltr. Bernaro to Barrett
(NRC disagrees with proposed 12/16/91 closure of Q 1)

5/27/93 Ltr. Shelor to Holonich
(DOE advocates closure of C 95, C 105 & C 115)

6/9/93 Ltr. Shelor to Holonich
(DOE advocates closure of C 47 & Q 12)

7/12/93 Ltr. Shelor to Holonich
(DOE advocates closure of C 3, C 7, C 45, & Q 38)

11/1/93 Ltr. Shelor to Holonich
(DOE advocates closure of C 75 and Q 1)

12/23/93 Ltr. Shelor to Holonich
(DOE advocates closure of C 99, 102, and 103)

12/30/93 Ltr. Reamer to Shelor
(NRC agrees that C 75 and Q 1 are resolved)

1/31/94 Ltr. Shelor to Hooks
(DOE advocates closure of Q 58)

2/18/94 Ltr. Holonich to Shelor
(NRC agrees that Q 14 and Q 15 are resolved, but that C 53
remains open in a review letter on Study Plan 8.3.1.9.2.1)

3/30/94 Ltr. Shelor to Holonich
(DOE advocates closure of C 122 and Q 22)

3/30/94 Ltr. Shelor to Holonich
(DOE advocates closure of C 80)

5/17/94 Ltr. Shelor to Holonich
(DOE advocates closure of C 5, and Q 3, Q 46 and
Q 56)

6/10/94 Ltr. Shelor to Holonich
(DOE advocates closure of Q 47)

6/16/94 Ltr. Shelor to Holonich
(DOE advocates closure of C 36, Q 5 and Q 20)

6/21/94 Ltr. Holonich to Shelor
(NRC unilaterally closes C 123)

7/1/94 Ltr. Shelor to Holonich
(DOE advocates closure of Q 35, Q 45, and Q 51)

7/11/94 Ltr. Holonich to Shelor
(NRC agrees that SCA C 5 and Q 46 are resolved but that C 80 and Q 47 remain open)

8/4/94 Ltr. Holonich to Shelor
(NRC disagrees that SCA C 99, C 102, and C 103 are resolved: comments remain open)

9/14/94 Ltr. Holonich to Milner
(NRC unilaterally agrees that SCA C 49 is resolved in letter documenting review of Study Plan 8.3.1.8.1.2)

9/15/94 Ltr. Holonich to Milner
(NRC agrees that SCA C 15 is resolved in letter documenting review of Study Plan 8.3.1.2.2.4 R2)

9/20/94 Ltr. Brocoum to Holonich
(DOE advocates closure of C 80 and Q 47)

10/7/94 Ltr. Brocoum to Holonich
(DOE advocates closure of Q 53)

10/11/94 Ltr. Milner to Holonich
(DOE advocates closure of C 101)

11/8/94 Ltr. Bell to Brocoum
(NRC agrees that Q 51 is resolved, and disagrees that Q 35 and Q 45 are resolved: questions remain open)

11/23/94 Ltr. Brocoum to Holonich
(DOE advocates closure of Q 37)

12/2/94 Ltr. Brocoum to Holonich
(DOE advocates closure of Q 35)

2/17/95 Ltr. Bell to Milner
(NRC agrees that C 43 is resolved but C 42 remains open)

3/7/95 Ltr. Bell to Brocoum
(NRC agrees that C 80, and Q 35, Q 37, Q 47, and Q 53 are closed)

6/1/95 Ltr. Brocoum to Holonich
(DOE advocates closure of C 3)



Department of Energy

Washington, DC 20585

NOV 18 1993

Mr. Joseph J. Holonich, Director
Repository Licensing & Quality Assurance
Project Directorate
Division of High-Level Waste Management
Office of Nuclear Material Safety
and Safeguards
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

I-350276

BNA

Dear Mr. Holonich:

The U.S. Nuclear Regulatory Commission (NRC) provided an evaluation of the Department of Energy's (DOE) December 14, 1990, responses to the 2 objections, 133 comments, and 63 questions in the Site Characterization Analysis (SCA) (NUREG-1347) in an enclosure to a letter dated July 31, 1991. On the basis of the DOE December 1990 responses, NRC closed 59 comments and questions and established the remaining 139 as open items.

During FY 1992, the DOE provided documentation reporting additional information or actions taken toward resolving 24 open items. During FY 1993, the DOE provided similar information on 17 more open items.

Our records show that for FY 1992, the NRC concurred that one open item was resolved. For FY 1993, NRC has concurred upon the proposed resolutions for 18 open items.

Enclosure 1 is a tabulation that reports only the number of open items that DOE has acted upon since December 1990, and the number of open items that NRC has acted upon in the same time frame. Enclosure 2 is a DOE/NRC correspondence log that reports the actions taken with respect to all SCA open items since DOE's December 1990 responses.

We think both compilations will be useful to aid NRC and DOE in verifying their records. We would appreciate confirmation that the reported data is correct or if any discrepancies are present.

If you have questions, please contact Ms. Sheila Long at 202-586-1447.

Sincerely,

Dwight E. Shelor
Associate Director for
Systems and Compliance
Office of Civilian Radioactive
Waste Management

~~9312270018~~ 5 p.

ENCLOSURE 2

Enclosures:

- 1. Tabulation of Open Item Actions**
- 2. Correspondence/Action Log**

cc: w\enclosures

R. Nelson, YMPO

T. J. Hickey, Nevada Legislative Committee

R. Loux, State of Nevada

D. Bechtel, Las Vegas, NV

Eureka County, NV

Lander County, Battle Mountain, NV

P. Niedzielski-Eichner, Nye County, NV

W. Offutt, Nye County, NV

L. Bradshaw, Nye County, NV

C. Schank, Churchill County, NV

F. Mariani, White Pine County, NV

V. Poe, Mineral County, NV

J. Pitts, Lincoln County, NV

J. Hayes, Esmeralda County, NV

B. Mettam, Inyo County, CA

C. Abrams, NRC

TABULATION OF PROGRESS IN RESOLVING SCA OPEN ITEMS

Two stage process,

1) DOE sends basis to resolve, 2) NRC concurs or not

| DOE'S ACTION | --- | STILL OPEN | NRC'S ACTION | --- | STILL OPEN |
|--------------|-----|------------|--------------|-----|------------|
| 12/14/90 | | 198 | 7/31/91 | | 139 |
| 11/26/91 | | 139 | 11/2/92 | | 129 |
| 12/16/91 | | 129 | 2/8/93 | | 122 |
| 7/23/92 | | 128 | 4/21/93 | | 121 |
| 8/31/92 | | 121 | 5/5/93 | | 122 |
| 9/16/92 | | 120 | | | |
| 1/7/93 | | 118 | | | |
| 2/5/93 | | 115 | | | |
| 3/24/93 | | 113 | | | |
| 5/27/93 | | 110 | | | |
| 6/9/93 | | 108 | | | |
| 7/12/93 | | 104 | | | |

ENCLOSURE /

DOE/NRC CORRESPONDENCE LOG OF SCA OPEN ITEM ACTIONS

NRC and DOE actions taken since DOE responded to SCA on 12/14/90.

- 7/31/91 Ltr. Bernero to Bartlett
(NRC closes 59 comments and questions based on DOE's 12/14/90 responses)
- 12/16/91 Ltr. Roberts to Linehan
(DOE advocates closure of Q 1 in responses to NRC comments on study plan 8.3.1.17.4.6)
- 3/2/92 Ltr. Bernero to Bartlett
(NRC lifts Objection 2)
- 3/3/92 Ltr. Roberts to Linehan
(DOE advocates closure of Obj. 1, C 12, 16, 34, 35, 57, 72, 127, 128, 130, 132 & Q 28 & 61)
- 7/23/92 Ltr. Roberts to Holonich
(DOE advocates closure of C 42 and 43)
- 9/16/92 Ltr. Roberts to Holonich
(DOE advocates closure of Q 31)
- 8/31/92 Ltr. Roberts to Holonich
(DOE advocates closure of C 100, 104, 106, 108, 110, 112 & 113)
- 11/2/92 Ltr. Bernero to Bartlett
(NRC lifts Obj. 1, closes C 12, 16, 35, 57, 72, 127, 128 & 132 & Q 61.
- 1/7/93 Ltr. Roberts to Holonich
(DOE advocates closure of C 21 & 22)
- 2/8/93 Ltr. Holonich to Roberts
(NRC closes C 100, 104, 106, 108, 110, 112 & 113)
- 2/5/93 Ltr. Roberts to Holonich
(DOE advocates closure of C 53 & Q 14 & 15)
- 3/24/93 Ltr. Shelor to Holonich
(DOE advocates closure of Q 17 & 57)
- 4/13/93 Ltr. Shelor to Holonich
(DOE advocates closure of Q 25)
- 4/21/93 Ltr. Holonich to Shelor
(NRC agrees SCA Q 17 is resolved in Phase I review letter for study plan 8.3.1.2.4.3)
- 5/5/93 Ltr. Bernero to Barrett
(NRC disagrees with proposed 12/16/91 closure of Q 1)

- 5/27/93 Ltr. Shelor to Holonich
(DOE advocates closure of C 95, 105 & 115)
- 6/9/93 Ltr. Shelor to Holonich
(DOE advocates closure of C 47 & Q 12)
- 7/12/93 Ltr. Shelor to Holonich
(DOE advocates closure of C 3, 7, 45, & Q 38)



Department of Energy
Washington, DC 20585

SEP 26 1994

I-362572

Mr. Joseph J. Holonich, Chief
High-Level Waste and Uranium
Recovery Projects Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards
U. S. Nuclear Regulatory Commission
Washington, DC 20555

2/5
DIVISION
w/o *Byrstedt / Gandy*
w/o *Julius / Barton* w/o
w/o *Blanchard / Hill*
w/o *Williams, D / Smecta*
cc: *Levy / Hug. N. J. TSS*
cc: *Schmitt*
w/o {cc: *Oyer / Nelson, B*}
cc: _____

Dear Mr. Holonich:

REC'D BY YMP
9/29/94

The U.S. Nuclear Regulatory Commission provided an evaluation of the Department of Energy's December 14, 1990, responses to the 2 objections, 133 comments, and 63 questions in the Site Characterization Analysis (NUREG-1347) in an enclosure to a letter dated July 31, 1991. On the basis of the Department of Energy's December 1990 responses, the Commission closed 59 comments and questions and established the remaining 139 as open items.

During FY 1992, the Department provided documentation reporting additional information or actions taken toward resolving 24 open items. During FY 1993, the Department provided similar information on 17 more open items. During FY 1994, the Department provided information on 24 open items.

Our records show that for FY 1992, the Commission has concurred upon the proposed resolution for 1 open item, for 18 open items in FY 1993, and for 5 open items in FY 1994.

Enclosure 1 is a tabulation that reports only the number of open items that the Department has acted upon since December 1990, and the number of open items that the Commission has acted upon in the same time frame. Enclosure 2 is a U.S. Department of Energy and U.S. Nuclear Regulatory Commission correspondence log that reports the actions taken with respect to all site characterization analysis open items since the Department's initial December 1990 responses.

In combination, we think both compilations will be a helpful tool to aid the Commission in verifying their records. For the last three fiscal years, we have asked for a verification of this report. We would appreciate confirmation that the reported data is correct or if any discrepancies are present.

~~240 9280249~~ 4 p.p.

ENCLOSURE 3

TABULATION OF PROGRESS IN RESOLVING SCA OPEN ITEMS

DOE'S ACTION --- STILL OPEN

| | |
|----------|-----|
| 12/14/90 | 198 |
| 11/26/91 | 139 |
| 12/16/91 | 129 |
| 07/23/92 | 128 |
| 08/31/92 | 121 |
| 09/16/92 | 120 |
| 01/07/93 | 118 |
| 02/05/93 | 115 |
| 03/24/93 | 113 |
| 05/27/93 | 110 |
| 06/09/93 | 108 |
| 07/12/93 | 104 |
| 11/01/93 | 102 |
| 01/31/94 | 101 |
| 03/30/94 | 99 |
| 03/30/94 | 98 |
| 05/17/94 | 94 |
| 06/10/94 | 93 |
| 06/16/94 | 90 |
| 07/01/94 | 87 |

NRC's ACTION --- STILL OPEN

| | |
|----------|-----|
| 07/31/91 | 139 |
| 11/02/92 | 129 |
| 02/08/93 | 122 |
| 04/21/93 | 121 |
| 05/05/93 | 122 |
| 12/30/93 | 120 |
| 02/18/94 | 118 |
| 06/21/94 | 117 |
| 07/11/94 | 115 |
| 08/04/94 | 113 |

DOE/NRC CORRESPONDENCE LOG OF SCA OPEN ITEM ACTIONS

NRC and DOE actions taken since DOE responded to SCA on 12/14/90.

- 7/31/91 Ltr. Bernero to Bartlett
(NRC closes 59 comments and questions based on DOE's 12/14/90 responses)
- 12/16/91 Ltr. Roberts to Linehan
(DOE advocates closure of Q 1 in responses to NRC comments on Study Plan 8.3.1.17.4.6)
- 3/2/92 Ltr. Bernero to Bartlett
(NRC lifts Objection 2)
- 3/3/92 Ltr. Roberts to Linehan
(DOE advocates closure of Obj. 1, C 12, 16, 34, 35, 57, 72, 127, 128, 130, 132 and Q 28 & 61)
- 7/23/92 Ltr. Roberts to Holonich
(DOE advocates closure of C 42 and 43)
- 9/16/92 Ltr. Roberts to Holonich
(DOE advocates closure of Q 31)
- 8/31/92 Ltr. Roberts to Holonich
(DOE advocates closure of C 100, 104, 106, 108, 110, 112 & 113)
- 11/2/92 Ltr. Bernero to Bartlett
(NRC lifts Obj. 1, closes C 12, 16, 35, 57, 72, 127, 128 & 132 and Q 61)
- 1/7/93 Ltr. Roberts to Holonich
(DOE advocates closure of C 21 & 22)
- 2/8/93 Ltr. Holonich to Roberts
(NRC closes C 100, 104, 106, 108, 110, 112 & 113)
- 2/5/93 Ltr. Roberts to Holonich
(DOE advocates closure of C 53 and Q 14 & 15)
- 3/24/93 Ltr. Shelor to Holonich
(DOE advocates closure of Q 17 & 57)
- 4/13/93 Ltr. Shelor to Holonich
(DOE advocates closure of Q 25)
- 4/21/93 Ltr. Holonich to Shelor
(NRC agrees SCA Q 17 is resolved in Phase I review letter for Study Plan 8.3.1.2.4.3)

Enclosure 2

~~Mr.~~ Holonich to Shelor
(NRC disagrees that SCA C 99, 102, and 103 are resolved;
comments remain open)