

✓ RESPONSE TO RUSCHE ON PDS

APR 23 1987

- 1 -

Mr. Ben Rusche, Director  
Office of Civilian Radioactive  
Waste Management  
U.S. Department of Energy  
1000 Independence Avenue, S.W.  
Washington, D.C. 20585

Dear Mr. Rusche:

I want to thank you for your letter of April 3, informing NRC that the Department of Energy (DOE) has initiated a revision of the Radioactive Waste Management System Project Decision Schedule (PDS) issued in March, 1986. As noted in the Enclosure to Chairman Zech's April 7 letter to you on the Draft Mission Plan Amendment, we anticipated that the PDS would have to be revised to conform to the Mission Plan Amendment. The revised PDS, for example, would have to reflect the provision for a 36-month NRC review of the repository construction authorization application under Section 114(d) of the NWPA.

NRC recognizes the importance of the PDS in describing objectives and deadlines for Federal agency actions to obtain the operation of a repository. We also appreciate DOE's commitment to support NRC's high-level waste licensing proceeding through development of a Licensing Support System (LSS) and the negotiated rulemaking process. This commitment was formalized in the "Agreement in Principle" between DOE and NRC on development of the LSS that was signed in February, 1987. We believe that the LSS and negotiated rulemaking will help streamline the NRC license application review process and help NRC meet the schedule for making a decision on construction authorization. We understand from your letter of February 17 regarding the negotiated rulemaking that DOE is already taking action on LSS design and implementation.

We look forward to receiving and commenting on the revised PDS.

Sincerely,

(Signed) Hugh L. Thompson, Jr.

Hugh L. Thompson, Jr., Director  
Office of Nuclear Materials Safety  
and Safeguards

8706190051 870423  
PDR WASTE PDR  
WM-1

WM Record File 112  
WM Project 1  
Docket No. \_\_\_\_\_  
PDR   
LPDR \_\_\_\_\_

Distribution \_\_\_\_\_  
(Ret) 87050005/5 H



**Department of Energy**  
Washington, DC 20585

APR 03 1987

INFORMATION ROUTING ONLY

THOMPSON

BERNERO

cc: FC

SG

WM

*J.S.*

OTHER: Sommers

Looney

Mr. Hugh L. Thompson, Jr., Director  
Office of Nuclear Materials  
Safety and Safeguards  
Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Mr. Thompson:

This is to notify you that the Department of Energy (DOE) has initiated revision of the Project Decision Schedule (DOE/RW-0067) that was issued in March 1986. As required by Section 114(e) of the Nuclear Waste Policy Act (NWPA) of 1982, the Project Decision Schedule is to be updated, as appropriate, in cooperation with all affected Federal agencies.

The Project Decision Schedule identifies the key activities, decision points and deadlines for Federal agency actions that are essential to attaining the operation of a geologic repository for the permanent disposal of high-level nuclear waste. The NWPA requires that an affected Federal agency submit a report to the Secretary of Energy and to the Congress should the agency determine that it cannot comply with a deadline in the Project Decision Schedule, giving the reason why the agency could not reach an agreement with the Secretary.


As you may be aware, DOE has prepared a Draft Mission Plan Amendment that has been submitted to your agency and other appropriate Federal agencies, and States and affected Indian Tribes for review and comment. The Draft Mission Plan Amendment proposes a revised schedule for the first repository (to begin operation in 2003 instead of 1998) and a postponement of site-specific work for the second repository.

DOE expects to submit the Mission Plan Amendment to Congress in the summer of 1987. As an affected agency under the NWPA, you should be aware that the milestone dates in the Draft Mission Plan Amendment vary from those in the original Mission Plan and, if implemented, will require appropriate revision of the Project Decision Schedule. Regardless of the actions taken on the Draft Mission Plan Amendment, near-term DOE milestones (thru 1987) in

the 1986 Project Decision Schedule have proven to be unattainable. Therefore, deadlines contained within the March 1986 Project Decision Schedule requiring action by affected Federal agencies are no longer applicable. We anticipate providing you with a revised Project Decision Schedule in the near future for your review and comment.

Your continued cooperation in meeting the intent of the Nuclear Waste Policy Act is appreciated.

Sincerely,

  
Ben C. Rusche, Director  
Office of Civilian Radioactive  
Waste Management

cc: M. Kearney  
N. Numark

OFFICIAL CONCURRENCE AND DISTRIBUTION RECORD

LETTER TO: Mr. Ben Rusche, Director  
Office of Civilian Radioactive  
Waste Management  
U.S. Department of Energy

FROM: Hugh L. Thompson, Jr., Director  
Office of Nuclear Materials Safety  
and Safeguards

DATE: APR 23 1987

DISTRIBUTION

HLWM/SF	NMSS RF	RBrowning, HLWM	MBell, HLWM
JBunting, HLSE	JLinehan, HLOP	RBallard, HLTR	WMPC r/f
Originator	RMacDougall, HLSE	PAitomare, HLSE	DFehringer, HLSE
PDR			

CONCURRENCES

ORGANIZATION/CONCUREE	INITIALS	DATE CONCURRED
HLWM/HLSE/JCorrado	<i>JSC</i>	87/04/21
HLWM/HLSE/RMacDougall	<i>RMD</i>	87/04/21
HLWM/HLSE/JOBunting	<i>JOB</i>	87/04/21
HLWM/ROBrowning	<i>ROB</i>	87/04/22
NMSS/HLThompson	<i>HST</i>	87/04/23
	<i>4/23/87</i>	

(original not received in the WMDCC)

*4/30/87* *10:00*

Date \_\_\_\_\_ Time \_\_\_\_\_