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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

August 24, 1992

MEMORANDUM FOR: Dade W. Moeller, Chairman
Advisory Committee on Nuclear Waste

FROM: James M. Taylor
Executive Director
for Operations

SUBJECT: RULEMAKING ON DESIGN BASIS EVENTS FOR GEOLOGIC
REPOSITORY OPERATIONS AREA

I am responding to your letter of June 2, 1992, concerning the proposed rulemaking on "Disposal of High-Level Radioactive Waste in Geologic Repositories-- Design Basis Events for the Geologic Repository Operations Area." Your letter made two principal recommendations: 1) that the four design basis event classes be described in the rule itself, and 2) that the goal of worker protection be clearly enunciated in the proposed rule.

Addressing the Committee's first concern, including the description of the four classes of design events in the rule, itself, would require a departure from the language employed in other parts of the Commission's regulations. In 10 CFR Part 72, for example, the rule refers to the design bases, but the event classes that should be considered are addressed in a regulatory guide, rather than in the rule itself. The staff plans, however, to include, within the rule, itself, two principal categories of events: 1) those events that can reasonably be expected to occur before permanent closure (Classes I through III), under which the requirements of 10 CFR Part 20 must be met; and 2) such other postulated unlikely, but credible, natural or man-induced events (Class IV), under which the controlled-use-area reference-dose requirements must be met. In response to your second recommendation, the staff will modify the rule or supplementary information, as appropriate, to enunciate more clearly the goal of worker protection. This would be accomplished in the context of the revised definition of "important to safety," rather than in the discussion of the "controlled-use area."

The Committee has correctly noted a previous commitment to use rulemaking to resolve a number of key issues related to the licensing of a high-level radioactive waste repository. Identification of topics for rulemakings is being accomplished through the Division of High-Level Waste Management's Systematic Regulatory Analysis (SRA) process. To date, the SRA has identified two areas for rulemaking. The first is the Design Basis Events Rule, and the second is the relationship between the 10 CFR 60.122 adverse conditions, and

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Dade W. Moeller, Chairman

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the performance objectives of 10 CFR 60.112 and 60.113. The staff is also proceeding with evaluations of other identified regulatory issues, to determine those most appropriate for rulemaking action.

Original Signed By
James M. Taylor

James M. Taylor
Executive Director
for Operations

cc: The Chairman
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
Commissioner de Planque
SECY
OGC

Concurred by E. Kraus 8/06/92 via fax

OFC	: HLPD	: HLPD	: HLGR	: HLWM	: HLWM	: PMDA
NAME	: PAltomare	: JHolovich	: RBal	: JLinehan	: JYoungblood	: AEiss
DATE	: 08/12/92	: 08/14/92	: 08/20/92	: 08/17/92	: 08/17/92	: 08/19/92
OFC	: OGC	: IMNS	: NMSS	: NMSS	: EDO	: EDO
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