



UNITED STATES
NUCLEAR REGULATORY COMMISSION
ADVISORY COMMITTEE ON NUCLEAR WASTE
WASHINGTON, D.C. 20555

ACNWS-0040

PDR 5/13/92

March 13, 1992

The Honorable Ivan Selin
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Selin:

SUBJECT: SUMMARY REPORT - FORTIETH MEETING OF THE ADVISORY
COMMITTEE ON NUCLEAR WASTE, FEBRUARY 20-21, 1992

During the 40th meeting of the Advisory Committee on Nuclear Waste, February 20-21, 1992, we discussed several matters and completed the activities noted below including the memorandum listed.

MEMORANDUM

- Proposed Rulemaking on EPA High-Level Waste Standards (Memorandum to Robert M. Bernero, Director, Office of Nuclear Material Safety and Safeguards (NMSS), dated February 25, 1992, attached)

HIGHLIGHTS OF MATTERS CONSIDERED BY THE COMMITTEE

- U.S. Environmental Protection Agency's (EPA) Draft Notice of Proposed Rulemaking, 40 CFR Part 191

Mr. Ray Clark, EPA, briefed the Committee on EPA's Draft Notice of Proposed Rulemaking, 40 CFR Part 191, Environmental Standards for the Management and Disposal of Spent Nuclear Fuel, High-Level and Transuranic Radioactive Wastes. The Committee issued a memorandum to Robert Bernero, Director, NMSS, that reflects general agreement with the positions adopted by the NRC staff in their interaction with EPA regarding this matter.

- Systems Analysis Approach to Reviewing the Overall High-Level Waste (HLW) Program

The Committee continued discussions of the feasibility of applying a systems approach to the analysis of the overall high-level waste program, including the short and mid-range technical milestones for handling high-level waste, with the goal of providing recommendations as to the proposed scope of

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such a review and the advisability of undertaking it. The Committee discussed the results of the Working Group meeting on a Systems Analysis Approach, held February 19-20, 1992. The Committee will continue its deliberations on this subject during the 41st ACNW meeting.

- Report on Visit with Dr. David Morrison of NRC's Nuclear Safety Research Review Committee (NSRRC)

A representative of the Committee met on February 18, 1992, with Dr. David Morrison, Chairman, Nuclear Safety Research Review Committee, NRC, to discuss items of mutual interest. Dr. Morrison offered to meet periodically with the ACNW to discuss issues related to waste management research considered by the NSRRC.

- ACNW Priority Issues for 1992

The Committee discussed the priorities to be used this year for determining the course of the Committee's activities. Topics in which the Committee identified a particular interest include:

- a) Consideration of major issues and lessons learned from recent nuclear power plant decontamination and decommissioning activities.
- b) Consideration of the compatibility of State radiation control programs with those of the NRC, including the topic of additional stringency required by the states.
- c) Consideration of the possible importance and usefulness of developing a system of indicators of performance for LLW management and disposal programs.
- d) Consideration of the results from recent performance assessment activities related to both the proposed HLW repository and LLW disposal facilities.
- e) Consideration of DOE Study Plans under review by the NRC staff and possible independent review by ACNW of a study plan not reviewed by the NRC staff.

- Renewal of Appointments of ACNW Members

The Committee discussed a draft memorandum to you from R. F. Fraley, ACNW Executive Director, regarding the procedure for appointment of ACNW members. A number of alternative

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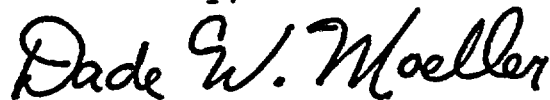
arrangements were considered with four-year terms preferred. This proposal is being reviewed by the Office of Personnel and OGC prior to submittal for Commission consideration.

• ACNW Future Activities

- The members discussed the agenda for the 44th ACNW meeting tentatively scheduled to be held on June 24-26, 1992, in Richland, Washington. The ACNW staff will arrange the final meeting dates and agenda with representatives of Pacific Northwest Laboratories and the Richland Regional DOE Operations Office.
- The members discussed the feasibility of a site visit to the Surry Nuclear Power Plant (8 miles south of Williamsburg, Virginia). The Committee expressed interest in seeing an onsite waste disposal operation and a dry-cask spent fuel storage facility. The Committee agreed to place a visit to this site on its list of future activities.
- The Committee requested that the periodic meeting with the NRC Commissioners be postponed from the 41st ACNW meeting (March 12-13, 1992) to either the 42nd ACNW meeting (April 23-24, 1992) or the 43rd ACNW meeting (May 28-29, 1992). The Office of the Secretary of the Commission has been informed.
- The Committee agreed to schedule a briefing by the CRGR regarding the effort to reduce the regulatory burden by elimination of unnecessary regulations. This briefing will be for information only.

Appendix A summarizes the proposed items endorsed by the Committee for the 41st ACNW Meeting, March 12-13, 1992, and future Working Group meetings.

Sincerely,



Dade W. Moeller
Chairman

Enclosures: As stated

APPENDIX A. FUTURE AGENDA

41st ACNW Committee Meeting March 12-13, 1992

High-Level Radioactive Waste Research Program Plan (Open) - The Committee will be briefed by representatives of the NRC's Office of Nuclear Regulatory Research and other interested parties on the High-Level Radioactive Waste Research Program Plan.

Systems Analysis Approach to Reviewing the Overall High-Level Waste Program (Open) - The Committee will continue to consider the feasibility of using a systems analysis approach to review the short and mid-range technical milestones for handling spent nuclear power plant fuel, with the goal of developing recommendations as to the scope of the review and the advisability of undertaking it.

In this regard, the Committee will be briefed by a representative of Virginia Power Company who will present a industry perspective on a systems analysis approach to the high-level waste program.

Special Review of NRC Regulations (Open) - The Committee will be briefed by the NRC staff on a special review of existing NRC regulations to determine whether regulatory burdens can be reduced without in any way reducing the protection of public health and safety.

Report on the Meeting with the Director, Office of Civilian Radioactive Waste Management (OCRWM), DOE (Open) - Drs. Moeller and Steindler will report on their meeting with Dr. John Bartlett, Director, OCRWM, DOE.

Report on the Meeting with the NRC Staff (Open) - Drs. Hinze and Pomeroy will report on their meeting with the NRC staff regarding geologic dating of Quaternary volcanic features and materials.

Committee Activities (Open/Closed) - The Committee will discuss anticipated and proposed Committee activities, future meeting agenda, and organizational matters, as appropriate. The members will also discuss matters and specific issues that were not completed during previous meetings.

Working Group Meetings

The Impact of Long-Range Climate Change in the Area of the Southern Basin and Range, May 27, 1992, 7920 Norfolk Avenue, Bethesda, MD (Gnugnoli) - The Working Group will discuss the historical evidence and the potential for climate changes in the Southern Basin and Range and their associated impacts on the anticipated performance for the proposed high-level radioactive waste repository at Yucca Mountain.

Methods for Assessing the Presence of Natural Resources at the Proposed HLW Repository Site, July 29, 1992, 7920 Norfolk Avenue, Bethesda, MD (Larson) - The Working Group will discuss methodologies for the assessment of the potential for natural resources at the proposed high-level waste repository site at Yucca Mountain. The relationship between natural resources and the potential for human intrusion will be emphasized.



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WASHINGTON, D.C. 20555

February 25, 1992

Mr. Robert M. Bernero, Director
Office of Nuclear Material Safety
and Safeguards
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Bernero:

SUBJECT: PROPOSED RULEMAKING ON EPA HIGH-LEVEL WASTE STANDARDS

During its 40th meeting, February 20-21, 1992, the Advisory Committee on Nuclear Waste met with representatives from the U.S. Environmental Protection Agency (EPA) to discuss the EPA's proposed rulemaking on 40 CFR Part 191, "Environmental Radiation Protection Standards for the Management and Disposal of Spent Nuclear Fuel, High-Level and Transuranic Radioactive Wastes." Also taking part in the discussions were members of the NRC staff and a representative from the U.S. Department of Energy. On the basis of these discussions, we understand that EPA has agreed to consider and respond to a major share of the comments and/or suggestions that have been made by the NRC staff regarding 40 CFR Part 191.

We are pleased to observe the progress being made by EPA in revising these standards, and we concur with the positions adopted by the NRC staff. We especially want to commend the staff for the constructive manner in which they have been interacting with the EPA staff to resolve existing differences. Topics and/or positions yet to be resolved, and in which we share the concerns of the NRC staff, include:

1. the lack of a documented technical basis for the standards;
2. the continued stringency in the release limit for Carbon-14 as listed in Table 1 of 40 CFR Part 191;
3. the lack of clarity and application of the required "projections" of repository performance out to 100,000 years;
4. a similar lack of clarity on guidance in projecting the demographics for future societies; and
5. the application of dose rate limits to individual members of the public (rather than to a critical population group), and the prohibition of truncation in any form in calculations of collective dose.

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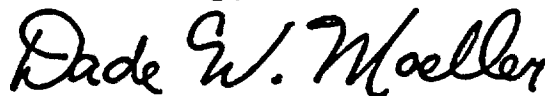
Mr. Robert M. Bernero

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February 25, 1992

To the extent we can be helpful, we encourage you to have the NRC staff call on us as they work with EPA to resolve these remaining issues.

Sincerely,

A handwritten signature in black ink that reads "Dade W. Moeller". The signature is written in a cursive, flowing style.

Dade W. Moeller
Chairman

Reference:

Draft Federal Register Notice For 40 CFR Part 191,
dated February 3, 1992