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MEMORANDUM FOR: Robert M. Bernero, Director
Office of Nuclear Material Safety
and Safeguards

FROM: Robert E. Browning, Director
Division of High-Level Waste Management

SUBJECT: LICENSING SUPPORT SYSTEM ADVISORY REVIEW PANEL (LSSARP)
COMMENTS ON THE REVISION OF THE LICENSING SUPPORT
SYSTEM (LSS) TOPICAL GUIDELINES

The purpose of this memorandum is to inform you about the review by the LSSARP of the "Draft Regulatory Guide Topical Guidelines for the Licensing Support System" (draft regulatory guide). The LSSARP consists of representatives from: the staff, the Atomic Safety and Licensing Board Panel, the U. S. Department of Energy (DOE), the State of Nevada, Affected Units of Local Government, the Congress of American Indians, and the nuclear industry. The draft regulatory guide was prepared in response to direction from the Commission for the staff and the Office of the General Counsel (OGC) to revise the interim topical guidelines which were published as supplementary information to the LSS negotiated rulemaking. As you know, the LSSARP was sent copies of the draft regulatory guide following Commission review of the document.

The LSSARP considered the draft regulatory guide at its October 1990 meeting in Reno, Nevada. It is my understanding that, in addition to a few minor comments, the LSSARP had one major concern with the approach taken in the draft regulatory guide. In revising the interim topical guidelines, the U.S. Nuclear Regulatory Commission (NRC) staff had deleted two topics found in the interim topical guidelines. The NRC staff took the position that information on transportation of nuclear waste to the high-level waste repository and information related to the development of the DOE's Environmental Impact Statement (EIS) (except for information needed for NRC's adoption or modification of DOE's EIS) should be excluded from the LSS. This position was based on the understanding that the LSS was developed for the licensing proceedings.

All of the LSSARP members, except the representatives from the staff, took exception with the exclusion of transportation and environmental impact information from the LSS through a regulatory guide. The LSSARP's preferred method of exclusion was through rulemaking. The LSSARP has directed its chairman, John Hoyle, to prepare a letter to you discussing this concern. My staff has had some preliminary informal discussions with OGC and the Office of the LSS Administrator about possible approaches to respond to the LSSARP. Any change to the topical guidelines, as contained in the draft regulatory guide,

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would have to be presented to the Commission since it has previously reviewed and approved the contents of the draft regulatory guide.

Mark Delligatti is the cognizant project manager for revision of the topical guidelines. He can be reached at extension 20430.

Original Signed by
Robert E. Browning
Robert E. Browning, Director
Division of High-Level Waste Management

Enclosure:
Memo frm J. Hoyle
to L. Donnelly dtd 11/1/90

cc: S. Treby
J. Youngblood
J. Linehan
J. Holonich
M. Delligatti

DISTRIBUTION

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*see previous concurrence

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

November 1, 1990

MEMORANDUM FOR: Lloyd J. Donnelly, LSS Administrator
FROM: John C. Hoyle, Chairman, LSS Advisory Review Panel
SUBJECT: REPORT ON MEETING OF LSS ADVISORY REVIEW PANEL

The LSS Advisory Review Panel, which was established by the Commission in December 1989, held its fourth meeting on October 10 and 11, 1990, in Reno, Nevada. A summary of the meeting activity follows:

1. Panel Administrative Issues

The Panel discussed administrative matters and approved the minutes of the June 7, 1990, meeting.

2. Approval of Document Header Fields

The Panel resumed its discussion (from the June 7, 1990, meeting) of information which should be required to be in the header fields and concluded that the "copyee" and "copyee organization" fields are not necessary. Two additional fields may be proposed for inclusion after further revision by the header working group. A vote will be taken at the next meeting.

3. Abstracting of LSS Documents

The Panel reviewed the information paper on abstracting prepared by your office and agreed that alternative C.3 should be used for abstracting LSS documents. Alternative C.3 provides (for specific document types) for storing abstracts in headers for those documents which have abstracts available, but not preparing abstracts just for this field and not allowing this field to be searchable.

4. Topical Guidelines

Mr. Stuart Treby, NRC staff, led a discussion of the changes proposed by NRC to the Interim Topical Guidelines for the content of the LSS. The Panel members, other than NRC, took the position that if substantive revisions are to be made in the Interim Topical Guidelines, such as the proposed

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deletion of environmental and transportation related documents, they should be made in a formal rulemaking. The Panel members agreed that an appropriate letter should be sent to NRC expressing their views on this subject. I am preparing such a letter at this time.

5. LSS Development

The Panel was briefed by Ms. Barbara Cerny, DOE, on the current LSS implementation schedule. The current schedule calls for the first node of the system to be operational at UNLV in September 1993.

6. Science Applications International Corporation (SAIC) Design Documentation

Mr. David Nippert, Ms. Dona Mennella, and Mr. Edward Timmes, briefed the Panel on SAIC's design documents including the capture system, the search and image system, and the communications system. Final documents will be submitted to DOE in November 1990. The Panel members will be provided copies.

7. Status of Compliance Evaluation Program and of Priority Document Production Schedule

Mr. Francis X. Cameron, LSSA, brought the Panel up to date on what the LSSA's contractors are doing with respect to assisting LSSA in the formulation of a plan to evaluate LSS participants' compliance with the LSS and in the development of a priority document production schedule for initial loading of the system. He presented a schedule showing the relative times for future activities in LSS development.

8. Handling of Non-Documentary Material in the LSS

Mr. Rawley Johnson and Mr. Charles Acree of the Center for Nuclear Waste Regulatory Analyses described their work under contract with LSSA to address the handling of non-documentary data in the LSS.

9. Schedule for Next Meeting

The next Panel meeting is tentatively scheduled for June 12 and 13, 1991, in Bethesda, Maryland. The following agenda items are proposed for discussion at that time:

Final SAIC Design Documentation
Priority Loading Issues

Planning for Participants' Access to the LSS
Compliance Evaluation Plans
Office of LSSA Work Breakdown Structure
Project Management for LSS Procurement

cc: Chairman Carr
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
OGC
SECY
LSSARP Members
LSS Internal Steering Committee