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SEP 30 1986

Mr. Ralph Stein, Director
Engineering and Geotechnology Division
Office of Civilian Radioactive Waste Management
U.S. Department of Energy
Forrestal Building
Washington, DC 20585

Dear Mr. Stein:

In your recent letter to me concerning the June 12, 1986 NRC/NNWSI Project management meeting in Las Vegas, Nevada, you touch upon several topics relating to the NRC's pre-Site Characterization Plan (SCP) and SCP review activities. I would like to address your comments here.

With regard to your comment that release of draft information chapters of the NNWSI Project SCP is designed to help the NRC prepare for our review of the SCP, I agree that having early access to draft SCP chapters should assist us in our SCP review preparations. However, unless the key references supporting the chapters are also available to us, the draft chapters by themselves will be of only limited use. In addition, while we will appreciate receiving those materials, as we have recently discussed such provision should not take the place of the need for NRC/DOE pre-SCP interactions on technical concerns proposed most recently by us in management meetings with the NNWSI, BWIP, and Salt Projects over the past three months.

With respect to the SCP review, let me clarify and expand upon one item in your letter relating to the schedule for review of the SCP's. You refer to the purpose of the draft SCP chapters as "to aid your staff in preparing for the 90-day review period following release of the SCP." Later on in the same paragraph you state that "Any technical concerns that you raise during the formal 90-day comment period will be addressed formally." According to the Project Decision Schedule (PDS), the NRC staff is to provide comments on exploratory shaft-related activities within 90 days of release of the SCP (p. 37), and complete the Site Characterization Analysis (SCA), containing our full review of the SCP (p. 38) six months after release of the SCP. Thus, the "90-day review period following release of the SCP" is for shaft-related parts of the SCP. The need for earlier feedback to DOE on shaft related activities is reflected in a recent amendment to Part 60, effective August 29, 1986, that states (Part 60.16,) "DOE shall defer the sinking of such shafts until there has been an opportunity for Commission comments thereon to have been solicited and considered by DOE."

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In your letter you also state that in the aforementioned NNWSI Project/NRC management meeting I "requested that NRC be provided with all study plans at the time of the release of the SCP," which you indicate is contrary to agreements made in a May 7-8, 1986 DOE-NRC meeting. The NNWSI meeting notes reflect no such request by the NRC. According to the meeting notes "NRC observed that it would like to see study plans as long as possible before the studies start, and before the plans are essentially finalized." The NRC intends to stand by all the agreements and commitments made in the May 7-8, 1986 NRC/DOE meeting on level of detail for SCP's and study plans. Nothing said by NRC representatives during the NNWSI meeting and nothing in the subsequent meeting notes goes counter to the spirit or letter of the May 7-8 agreements.

If you have any questions about these comments, please contact Robert Johnson (FTS 427-4674) or King Stablein (FTS 427-4611) of my staff.

Original Signed By:

John J. Linehan, Acting Chief
 Repository Projects Branch
 Division of Waste Management
 Office of Nuclear Material
 Safety and Safeguards

- cc: J. Knight, DOE/HQ
- D. L. Vieth, DOE/NV
- J. O. Neff, DOE/SRPO
- O. L. Olson, DOE/RL

OFC	:WMP:vkg	:WMP	:WMP	:	:	:	:
NAME	:KStablein	:RJohnson	:JLinehan	:	:	:	:
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ENCLOSURES

REMARKS

Closed 9/30 by letter to Ralph Stein