

## SCP ACCEPTANCE ANNOUNCEMENT

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MAR 15 1989

The Honorable Robert J. Miller  
Acting Governor of Nevada  
Carson City, Nevada 89710

Dear Governor Miller:

The U.S. Nuclear Regulatory Commission has completed our acceptance review of the U.S. Department of Energy's (DOE's) Site Characterization Plan (SCP) for the Yucca Mountain, Nevada site. We have notified DOE of the results of that review and of our schedule for further review of the SCP. Our letter to DOE is enclosed for your information.

If you or your staff have any questions concerning this letter or the enclosure, please contact John Linehan of my staff. Mr. Linehan can be contacted by telephone at 301-492-3387.

Sincerely,

(Signed) Robert M. Bernero

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

Enclosure: As stated

DISTRIBUTION

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NMSS Dir. R/F

Identical letters sent to Thomas Hickey, William Raggio, Joseph Dini, Jr., Robert Loux, Michael Baughman, Dennis Bechtel, and Stephen Bradhurst.

This letter has been coordinated with R. Virgilio and F. Combs of State, Local and Indian Tribe Programs, GPA.

OFC :HLPD	:HLPD	:DHL	:DHL	:NMSS	:
NAME: KStablein/wd:	JLinehan:	JYoungblood:	RBrowning:	RBernero:	:
DATE: 03/09/89	:03/10/89:	03/11/89	:03/13/89	:03/15/89	:

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

MAR 01 1989

Mr. Sam Rousso, Acting Director  
Office of Civilian Radioactive Waste Management  
U.S. Department of Energy  
Washington, D.C. 20545

Dear Mr. Rousso:

On December 28, 1988 the U.S. Department of Energy (DOE) transmitted to the U.S. Nuclear Regulatory Commission (NRC) the Site Characterization Plan (SCP) for the Yucca Mountain site. Although certain key supporting documents for the SCP (i.e., the Exploratory Shaft Facility (ESF) Design Acceptability Analysis (DAA) and the five study plans on ESF construction-phase testing) were not provided at that time, we began our acceptance review of the SCP on January 2, 1989. On February 9, 1989 we received the outstanding documents. Based upon our previously completed examination of the SCP and its references, and upon our more recent examination of the contents of the DAA, we are now able to conclude that the SCP is acceptable for further review. We are therefore proceeding with that review.

In our letters to you dated January 13, 1989, and January 31, 1989, we indicated that the delay in submittal of the SCP key supporting documents and the corresponding delay in completion of our acceptance review could impact our overall schedule of seven months to complete our SCA. Despite that delay, we intend to make every effort to complete the SCA on our original schedule, which had the review beginning on January 2, 1989, and the SCA being transmitted to DOE on July 28, 1989. We recognize that beginning ESF construction is on the critical path of your current site characterization schedule and will bring any ESF-related concerns to your attention as soon as they are identified.

There are, however, two matters that have the potential to impact our SCA schedule. The first item is the on-site audit of the DAA that we are planning to conduct in mid-April. If major concerns with the DAA are identified as a result of that audit and of our coincident detailed review of the DAA, the review of at least the portion of the SCP involving the ESF design might be affected until those concerns are resolved.

The second item that could impact our SCA schedule is the receipt of the document being prepared by DOE to establish the technical quality of the five ESF-related study plans that were sent to us on February 9, 1989. At the December 15, 1988 NRC-DOE meeting on study plans, we indicated that we would not start our review of those five study plans until DOE provided an evaluation supporting that they are of the same technical quality as if they had been prepared under a QA level I program. DOE agreed to provide such an evaluation, but we have not yet received that document. We cannot begin our review of the study plans until we receive DOE's evaluation confirming that the study plans are ready to be reviewed by NRC. Because the content of the study plans is directly related to the ESF design in the SCP, comments on at least the portion of the SCP involving the ESF design might be delayed until the study plans can be reviewed.

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Mr. Sam Rousso

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Should either of these two matters or any unforeseen factors force us to reexamine our SCA schedule, we will immediately notify you.

If you have any questions concerning this letter, please call me (492-3352) or J. Linehan (492-3387).

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert M. Bernero", written in a cursive style.

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