



Department of Energy
Washington, DC 20585

AUG 9 1989

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

Dear Mr. Bernero:

This letter is to acknowledge receipt of the Nuclear Regulatory Commission's (NRC) Site Characterization Analysis (SCA), which documents the review of the Department of Energy's (DOE) Site Characterization Plan issued on December 28, 1988. We appreciate the effort that the NRC staff dedicated to this review, as well as its timely completion. We fully expect that the comments will provide much assistance in further refining our site characterization program.

While we understand that NRC has specific concerns that need to be addressed, we are encouraged with NRC's overall conclusion regarding the improvement of the final document over the consultation draft. In addition, we concur in the NRC's determination that site characterization activities should proceed, recognizing that the objections expressed on quality assurance need to be resolved as we proceed with individual activities and the exploratory shaft facility (ESF) design activities should involve the NRC staff as agreed in our July 7, 1989, meeting. As we have indicated to the NRC staff, the Advisory Committee on Nuclear Waste, and the Commissioners in recent interactions, it is essential for the DOE to proceed with site characterization activities to gather the data needed to determine site suitability. DOE plans to proceed with such activities.

In accordance with the Nuclear Waste Policy Act, as amended, and 10 CFR Part 60, over the next several months the DOE will be carefully considering each of the SCA concerns and continuing to interact with the NRC staff. We are committed to assuring full compliance with all applicable regulatory requirements contained in 10 CFR Part 60 and look forward to our interactions involving critical regulatory interpretations. As you are aware, at our July 26, 1989, meeting, we agreed to approximately 16 technical interactions between our staffs for the remainder of 1989. These interactions will address technical topics and regulatory interpretations that we mutually agree are of highest priority. Additional technical interactions during calendar year 1990 will

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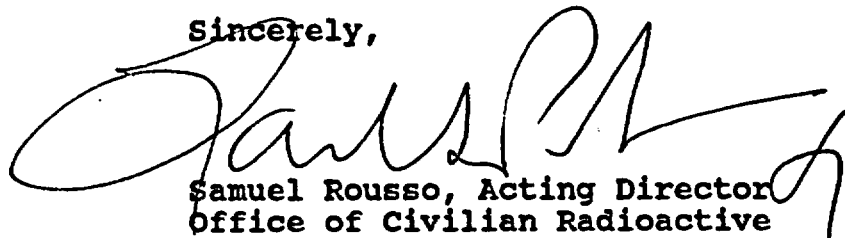
be discussed at the meeting scheduled for October 31, 1989. Also, as we discussed at the July 6 and 7, 1989, meetings, DOE will continue to interact with the NRC staff to ensure that our quality assurance programs are acceptable and involve the NRC staff in our ESF Title II design process.

DOE intends to report to the NRC and to the State of Nevada, via the semiannual site characterization progress reports, any major changes to the DOE's site characterization program as information about the site is collected and evaluated, as more detailed designs of the repository and waste package are developed, and as new results from performance assessments are obtained. These progress reports will also report major changes to the site characterization program made in response to external concerns, including those identified in the SCA. It should be noted that the progress reports only report changes to the program which have been approved by DOE management and will not discuss potential changes being considered. Actual changes to the site characterization effort will be managed through other program controlled documents.

As you may be aware, the repository program schedule is currently under review by the Department to ensure that the schedule is both realistic and achievable. When this effort has been completed, we will apprise you of its results.

If you have any questions, please contact me or Ralph Stein of my staff at 586-6046.

Sincerely,



Samuel Rousso, Acting Director
Office of Civilian Radioactive
Waste Management

CC:

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