

NOV 14 1991

Mr. John P. Roberts , Acting Associate Director
for Systems and Compliance
Office of Civilian Radioactive Waste Management
U.S. Department of Energy, RW-30
Washington, DC 20585

Dear Mr. Roberts:

SUBJECT: MINUTES FROM THE SEPTEMBER 12, 1991 PROCEDURAL AGREEMENTS MEETING

Enclosed are the minutes from the September 12, 1991, procedural agreements meeting. The purpose of the meeting was to discuss proposed changes to the existing "Procedural Agreement Between the U.S. Nuclear Regulatory Commission (NRC) and the U.S. Department of Energy (DOE) Identifying Guiding Principles for Interface During Site Investigation and Site Characterization" (Morgan-Davis Agreement), and the "Agreement Between DOE's Office of Geologic Repositories Projects and NRC's Division of High-Level Waste Management During the Site Investigation and Characterization Programs and Prior to the Submittal of an Application for Authorization to Construct a Repository" (site-specific agreement).

During the meeting, both DOE and NRC staff reviewed a line-by-line draft markup of the procedural agreements document. Several issues were identified by both parties concerning certain proposed changes to both the Morgan-Davis and site-specific agreements.

One area where the NRC staff had a concern was with DOE's proposed change requiring the NRC On-Site Representative (OR) to go through DOE's Regulatory Interactions Branch to access contractors or review any information. NRC feels that this requirement is more restrictive in nature than the existing agreement, and thus would reduce the flexibility currently afforded the NRC OR. The NRC staff could not agree to this change, and DOE stated that it would reevaluate its proposal. The issue was also discussed at the second meeting on the procedural agreement on October 28, 1991, and still remains a concern to the staff.

A second area where DOE and the NRC staff could not reach agreement involved NRC's proposed changes to the data management section of the agreement. DOE representatives at the meeting stated that they were unsure whether their Yucca Mountain Project Office (YMPO) would agree to the proposed revisions, and that they would have to consult with their YMPO staff before giving NRC a definitive response. A subsequent tele-conference between NRC and DOE staff on September 24, 1991, settled most of these pending issues; however, some items have yet to be resolved.

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Mr. John P. Roberts

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If you have any questions on the enclosed minutes, please feel free to contact Bob Carlson, the NRC staff Project Manager responsible for the meeting. He can be reached at (301) 492-0435.

Sincerely,

for Joseph J. Blonich

John A. Linehan, Acting Director
Repository Licensing and Quality
Assurance Project Directorate
Division of High-Level Waste Management
Office of Nuclear Material Safety
and Safeguards

Enclosure: As Stated

- cc: R. Loux, State of Nevada
- C. Gertz, DOE/NV
- S. Bradhurst, Nye County, NV
- M. Baughman, Lincoln County, NV
- D. Bechtel, Clark County, NV
- D. Weigel, GAO
- P. Niedzielski-Eichner, Nye County, NV
- C. Thistlethwaite, Inyo County, CA
- V. Poe, Mineral County, NV
- F. Sperry, White Pine County, NV

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