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MEMORANDUM FOR: Robert E. Browning, Director
Division of Waste ManagementFROM: F. Robert Cook, Senior On-Site Licensing
Representative, Basalt Waste Isolation Project
(BWIP)SUBJECT: COMMENTS ON WASTE MANAGEMENT STAFF MEETINGS
DURING WEEK OF MARCH 4, 1984 AND OTHER
ACTIVITIES DURING THE WEEKS OF FEBRUARY 26 AND
MARCH 4, 1984

1. The discussion concerning the purpose of the Staff review of the future Environmental Assessments (EA's) to be submitted by DOE revealed various purposes among the Staff. In one instant the purpose was to provide advice to DOE on information needs to accomplish licensing, particularly information relative to those environmental subjects related to or the same as the favorable and unfavorable siting conditions listed in 10CFR60. In another instance it was noted that it would NOT be the Staff's purpose to comment on facts and analyses related to POLITICAL issues. In a third instance it was noted that it would be the Staff's purpose to analyze available information pertinent to siting criteria to allow comparance of sites being nominated relative to any given siting criteria, particularly those related to the criteria in 10CFR60. Another opinion was comparisons of technical criteria should not be accomplished.

In further reflecting on the discussion I conclude the followings:

A. The EA's will, in any case, provide an initial exposure of NRC to environmental matters and their assessment by DOE. Assuming NRC will need to assess potential sites with respect to their RELATIVE advantages in connection with issuing a construction authorization under NRC's NEPA responsibilities, the Staff should, when reviewing EA's, determine whether all environmental matters considered pertinent are being addressed. Reference to Part 51 for such matters would appear warranted, particularly those matters which are addressed in environmental reports required by Part 51.60 (b)(6), per Part 60.21(a). If they are not being addressed in the EA's, then it would appear appropriate to comment to DOE as to the insufficiency of the EA's to substitute for an environmental report otherwise required by part 51. (I would note that the wording of 51.60(a) is ambiguous by itself as to whether or not an environmental report is required for a high level waste repository. However taken in context with the unambiguous statement in 60.21(a), the

discussion on page 9365 of the Federal Register of March 12, 1984, and the conforming change made to Part 2.101 (5)(f)(1), page 9400 of the Federal Register, it appears an environmental report is required.)

B. Notwithstanding the comments above, Considering the major revision to part 51 in March 1984, it seems desirable to prepare additions to part 51 (as the discussion in the Federal Register suggests is being accomplished) to specify how NRC will (per the NWPA) adopt practicable portions of DOE's EIS in fulfilling its responsibilities under NEPA. Also since Staff review of the EA's could hinge on part 51 requirements, it would appear prudent to review the new part 51 (which also has sections concerning Environmental Assessments) and factor this into our plans for EA review. The considerations presented with the new Part 51 changes are broad reaching in this regard and, depending upon how it is applied to Part 60 licensing, could have a major influence on DOE's actions.

2. I found W. Altman's (I&E) presentation on their report to Congress most stimulating and important in helping me focus my own review of DOE and Rockwell QA systems and their implementation. Our QA review plan should be revised in light of the issues highlighted in the report to Congress with items added to explicitly address the issues, particularly in the areas of personnel authorities and responsibilities and personnel qualifications at all levels. Other detailed comments which I have on the QA system review guide, many stemming from Altman's presentation and the meeting with W. Bland on April 2, 1984, were given to J. Kennedy by telephone during the week of April 8, 1984. I will forward these comments separately.

3. One major item that came from this review is the conclusion that there are NO sections of Part 50 Appendix B which provide quality assurance criteria (analogous to those specified in III. DESIGN CONTROL) for analyses and preparation of other software pertinent to site characterization and performance assessment of the natural barriers of a repository. I draw this conclusion since it is evident that Part 60.151 and 60.152, indeed all of Part 60, distinguish between design activities and site characterization. Part 60.152 provides for supplementing Appendix B as required. Accordingly I recommend that a supplement to Part 60 be prepared to specify the additional criteria suggested by Part 60.152, particularly criteria for natural barrier performance assessment analogous to those in Appendix B, III. DESIGN CONTROL. This is a key area of quality assurance which will most likely be aired in a licensing proceeding and which needs to be resolved as soon as possible to assure "pedigree" to the software, for example, the analytical modeling and other documents associated with ongoing explorations and research covered by the term "site characterization".

4. During the return trip to Richland from the subject staff meeting I stopped at Columbus to sit in on a RES meeting on the

waste package material research at Battelle Memorial Institute (BMI). M. Tokar's report of this meeting to J. T. Greeves contains a good summary. As noted in this summary I consider emphasis on spent fuel to be of most importance and indicative of a needed shift in work at BMI.

Also I consider that a closer integration of BMI activities with Aerospace TA is warranted. I consider Staff should specifically request that Aerospace Corp., via short term technical assistance, to comment on the BMI work so that it is directed to better support their needs. Aerospace Corp. could identify need dates for BMI input on analytical models which can possibly be used in their failure mode analyses.

F. Robert Cook

F. Robert Cook
Senior On-Site Licensing
Representative, BWIP

cf:
JOBunting
HJMiller
MRKnapp
JMHoffman
TRVerma
PTPrestholt
JKennedy
FRCook
JTGreeves
RJWright