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WMPI: 109.4 <sup>2</sup>

NOV 1 1982

MEMORANDUM FOR: John Surmeier, Section Leader  
 Policy Analysis Section  
 Licensing Process and Integration Branch

FROM: Laura Worby  
 Policy Analysis Section  
 Licensing Process and Integration Branch

SUBJECT: REVIEW OF DRAFT DOCUMENT DOE/NWTS-33(3)

Pursuant to your request, I reviewed the draft DOE document entitled "NWTS Program Criteria for Mined Geologic Disposal of Nuclear Waste: Repository Performance and Development Criteria", July 1982. I also reviewed comments prepared by the HLW Technical Development Branch, which address adequacy and completeness of the criteria and their consistency with the latest version of 10 CFR Part 60.

The DOE document appears to be a set of interim working criteria for repository performance and development, since, as stated in the report, "at the present time, final repository criteria have not been issued by the appropriate agencies." While DOE states that "the final judgement as to what constitutes an acceptable waste disposal system will ultimately be made by ... the NRC and the EPA," it does not explicitly state that these criteria will be superceded by 10 CFR Part 60. My principle comment would therefore be that DOE should explicitly acknowledge the relationship between these criteria and Part 60. This comment is already incorporated into the HLW Technical Branch's comments, along with specific areas of inconsistency with the latest draft of 10 CFR 60. I therefore see no need for additional comments.

I would like to note that while the document does refer to a number of existing relevant regulations to which DOE repositories must conform, (10 CFR 20, 40 CFR 191, and 30 CFR 57), the criteria are for the most part very general and vague. For example, the repository performance

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criteria for decommissioning are as follows: "Activities associated with decommissioning of repository facilities shall not adversely affect the system's ability to perform its containment and isolation function " (p.9). It is therefore not clear to me how the criteria will be useful to DOE other than as a checklist of areas which should be considered in repository development.

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