

See file Folder 97702



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

WM Record Je
102

WM Project 11
Docket No. _____
PDR ✓
LPDR ✓

Reply to:
1050 WM DOCKET CONTROL CENTER
1190 Road
Las Vegas, Nevada 89119

Distribution: CFR
PEB MJB
MRK JOB
(Return to WM, 623-SS) DRM SB:lhorn
Lynchan JTG
Hablein
Giarratana

'85 DEC 23 P2:25

MEMORANDUM

DATE: December 17, 1985

FOR: Robert E. Browning, Director
Division of Waste Management

FROM: Paul T. Prestholt, Sr. OR - NNWSI

PTP

SUBJECT: NNWSI Site Report period November 23, through
December 15, 1985

I. The opinion of the Ninth Circuit Court of Appeals on the lawsuit brought by the State of Nevada against the DOE was filed on December 2, 1985. A copy of the opinion is enclosed.

The Court found for the State of Nevada. The Court found that "Nevada is entitled to funding of its relevant pre-site characterization activities subject to the limitations defined herein. The sections of the Guidelines which govern site characterization are unlawful". The limitations defined are "relevant site characterization activities which are reasonable, scientifically justifiable, and performed by demonstrably competent contractors, and which would not unreasonably interfere with or delay DOE's own activities". The opinion does not state who will decide what's reasonable, etc.

8603140060 851217
PDR WASTE
WM-11 PDR

784

I asked if the Court's Opinion would be appealed, but that has not been decided at this time.

II. The NNWSI Project is preparing a "Planning/Scheduling Network Status" document. The document presents networks for each WBS element. There will be monthly up-dates and the document will allow the tracking of the WBS elements in time. Milestones are shown graphically on a time-line and the connections between elements are indicated.

The initial draft, presented at the November TPO - Project Manager Meeting (December 4, 5, & 6) is flawed and in need of revision. The document that I will be able to transmit to NRC Hq should be available at the end of January.

III. A presentation on the SCP schedule was given at the November TPO - Project Manager meeting. DOE Hq had requested of the project two schedule options:

Option 1: Realistic but optimistic

Option 2: Six month schedule beyond March, 1986.

Option 1 calls for delivery to the NRC on June 15, 1987, a list of caveats and conditions for achieving this date were presented. The condition that most directly affects the NRC is:

"If we have NRC workshops to assist the NRC with their understanding of the SCP then they should be scheduled during the period between first draft input and internal review meeting if possible - otherwise prior to Hq review. Preparation (for workshop) limited to 1 week, responses to be provided in SCP within IRC and CRP periods."

The other conditions are enclosed.

Option 2 calls for delivery to the NRC on November 28, 1986, the conditions are the same as for Option 1, with the addition that there be no impacts from NRC workshops and that the ESTP will be issued as a separate, referenceable, support document.

It is felt that the projects are going to have a great deal of trouble meeting the schedule chosen even if all conditions are met.

IV. A presentation of the NNWSI Technical Data Base was given by Sandia National Laboratory. The data base consists of three main elements:

1. Tuff data base
2. Graphics data base
3. Reference information data base.

The tuff data base is currently on-line and Sandia data are included. An effort is being made to bring the other participants into compliance with WMPO's directive that all pertinent data be included.

The other elements are in development at this time. The viewgraphs shown during this presentation are enclosed.

V. Felton Bingham, Sandia National Laboratory, gave a presentation on "Performance Allocation". The viewgraphs that Dr. Bingham used during this presentation are enclosed. The staff should review this material carefully to be sure that everyone concerned has the same understanding of what "performance Allocation" is.

VI. Geology-Hydrology

Bill Dudley, USGS and Dave Vaniman, LANL, will give quarterly up-dates, starting in January, 1986, on the progress made on the trench studies (secondary

mineralization, etc.) being conducted by these organizations. There will be little effort expended on this problem until the summer of 1986 because the people responsible for this work will be working on the SCP (see schedules in III above).

In my last report, I stated that there was evidence for Holocene faulting in Crater Flat trenches C-2 and C-3. This evidence consists of the dating of soils that show possible displacement using a new dating technique called "Thermal Luminescence" or "Illuminescence" (I've heard both words used). This technique is considered by the USGS to be too new to be considered a proven technique. The dates obtained using this technique should be considered open to question.

VII. Geochemistry

Enclosed is a letter from Dr. Donald T. Oakley, LANL TPO, to Dr. Donald L. Vieth. This letter takes exception to the "negative tone of the Meeting Report written by G.K. Jacobs about the Appendix 7 meeting held September 26, 1985". The letter goes on to state: "G.L. DePoorter's meeting notes contain a statement by A.O. Kelmers to the effect 'There is not big disagreement between the NRC and Los Alamos. Most of the NRC concerns are either being investigated or have been investigated'."

I had a phone call from Dr. DePoorter concerning this letter. He made a particular request that this letter be forwarded to the staff and again expressed the opinion that Los Alamos satisfactorily answered the NRC staff and contractor concerns.

VIII. Q.A.

Enclosed are copies of letters from R.G. Romatowski, Manager, DOE Albuquerque Operations Office to Dr. George C.

Dacey, President, Sandia National Laboratories and Mr. Robert N. Thorn, Acting Director, Los Alamos National Laboratory, officially naming Dr. Donald L. Vieth, Director WMPO, as Contracting Officer's Technical Representative for the work being performed by the laboratories funded from the Nuclear Waste Fund for the NNWSI.

Dr. Vieth's authority to effectively direct the NNWSI program under the above contracts was questioned during the December, 1984 QA meeting held in Las Vegas. The above appointment, as well as similar appointments for the other participants (with the exception of LLNL, this agreement will be concluded in 1986) are designed to answer the NRC criticism of the NNWSI management structure. If the agreements do, in fact, satisfy the NRC concern, then Dr. Vieth would like to receive a letter to that effect.

IX. Performance Assessment

See V. above.

X. Waste Package

On Monday, December 16, the "Las Vegas Sun" reported that a DOE status report to Congress concerning copper as a possible material for disposal casks states that copper may not be suitable. The "Sun" states that the report said: "Copper may perform poorly in tuff because the heat of the wastes will produce acid steam, corroding the containers."

I phoned Larry Skousen, WMPO Engineering Branch Chief, to ask for a copy of the report alluded to by the "Sun". Mr. Skousen told me that he has no knowledge of the report and doesn't know where the Sun got the story. LLNL is not the origin of the report if, in fact, such a report exists.

Mr. Skousen did point out the recently released LLNL document entitled "FY 1985 Status Report on Feasibility Assessment of Copper-Base Waste Package Container Materials

in a Tuff Repository", by R.D. McCright. This report seems very non-committal. The abstract states "Preliminary test data and analysis indicate that Copper and Copper-base alloys have several attractive features as waste package container materials, but additional work is needed before definitive conclusions can be made on the feasibility of using copper or copper-base alloy for containers." DOE-WMPO is looking into the "Sun" story to try to find out where the newspaper's information originated.

PTP/brm
enc. as stated