



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

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MAR 25 1987 WM Record File

105.3

WM Project

Docket No.

PDR

LPDR

'87 MAR 25 P1:51

MEMORANDUM FOR: Joseph O. Bunting, Chief
Policy and Program Control Branch
Division of Waste Management, NMSS

Distribution:

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(Return to WM, 623-SS)

FROM: Frank A. Costanzi, Chief
Waste Management Branch
Division of Engineering Safety, RES

SUBJECT: REVIEW OF 10 CFR PART 60 REQUIREMENTS ANALYSIS

Your January 21, 1987 memorandum requested a technical review of the subject document and specifically requested comments on the licensing findings and the required NRC or DOE work actions that have been presented in the 10 CFR Part 60 Requirements Analysis.

My staff has reviewed this document and has the following general comments:

Licensing Findings

- a. The document addresses two types of findings - procedural and technical. This should be explained up front and explicitly indicated for each finding.
- b. The information concerning technical findings should be coordinated and cross-referenced, since one integrated NRC action or analysis may include several related findings or even override individual findings. It is important that the interconnections between different sections of 10 CFR Part 60 be acknowledged and defined explicitly.
- c. It would be useful to include information concerning the significance of a negative finding; i.e., delay in docketing, rejection of site, required design change, etc. Such information would be particularly valuable in organizing and prioritizing the review in order that critical, potentially adverse findings are identified early.

Work Actions

- a. Although the exact definition of "work actions" appears to be somewhat nebulous, we understand it to mean those actions which NRC or DOE must undertake to allow a finding to be made; positive or negative. This could be clarified.
- b. Again, as stated in item b above, a particular activity may subsume many findings. You may want to consider presenting this information in a tabular format that would, for example, allow actions to be defined on one axis, findings on the other with indications on the grid showing when a finding is a primary product of, is influenced by or is

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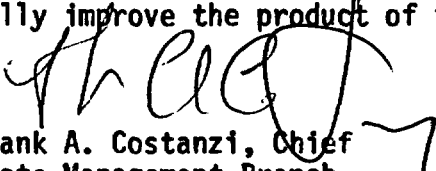
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unaffected by a given activity. At present, the lack of cross referencing and integration adversely affects the usefulness of the document.

- c. Usually a finding will require a demonstration of compliance by DOE and an independent review by NRC. At present, the document rarely acknowledges this situation explicitly nor does it address the degree or magnitude of the required NRC effort. The document's usefulness would be greatly enhanced if it were to do both.

Additionally, the staff has noted some editorial corrections which are provided in the enclosure.

Our review has not been comprehensive because the magnitude of such a review at this early stage of the document's development would require a major commitment of available staff time. I do believe that the general comments are constructive and could substantially improve the product of this effort.


Frank A. Costanzi, Chief
Waste Management Branch
Division of Engineering Safety
Office of Nuclear Regulatory Research

Enclosure: As stated

- 1) Under Section 60.43(a)(b), the portion Required Licensing Finding on Work Action should be changed to read as follows: "Prepare a standard review plan to examine what administrative controls, procedures, record keeping, review and audit, and reporting are necessary to assure that activities at the facility are conducted in conformity with license specifications."
- 2) Under Section 60.63(e), the portion 10 CFR Part 60 Regulation should be changed to read as follows: "The Director will advise the State...or any part of its proposal is denied, the reason for the denial shall be stated."
- 3) Under Section 60.113(a)(1)(i)(B), the portion Gradual Release of Radio-nuclides makes not mention of a requirement that, for a repository located in a saturated medium, the filling of the repository with groundwater must be evaluated.
- 4) Under Section 60.133(a)(2), the portion 10 CFR Part 60 Regulation should be changed to read as follows: "The underground facility shall be ... the period of operations will not spread through the facility."