



Department of Energy
Washington, DC 20585

DEC 11 1989

John J. Linehan, Director
Repository Licensing and Quality
Assurance Project Directorate
Division of High-Level
Waste Management
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Linehan:

This letter is in response to your letter dated October 10, 1989, which addressed several areas related to the Waste Acceptance Process (WAP). We appreciate your clarification of NRC's view regarding its review of WAP technical documentation. Both in your October 10, 1989, letter and during the October 11, 1989, NRC staff presentation to the Advisory Committee on Nuclear Waste (ACNW), NRC stated that it "intends to maintain cognizance of WAP activities through cursory reviews of WAP documents, observations of DOE Quality Assurance audits and on-site visits." This is consistent with DOE's understanding of the NRC's role in the Waste Acceptance Process. However, DOE would like to clarify what it seeks from DOE/NRC interactions in this area.

A brief overview of our agencies respective involvement in the area of defense radioactive waste production and disposal programs may augment understanding the Department's views on the Waste Acceptance Process. DOE has statutory responsibility for both the production and disposal of the defense radioactive high-level waste form. NRC's statutory and regulatory authority is specific to granting the license for the repository in which the waste will be disposed. On several occasions, NRC has acknowledged that NRC will not finally accept the waste form except in the context of a repository license application. However, DOE has committed to a specific glass waste form which will be produced at the Defense Waste Processing Facility (DWPF) or the West Valley Demonstration Project (WVDP) to meet the requirements of the Waste Acceptance Preliminary Specifications. The decisions to initiate waste production at these facilities will necessarily precede DOE's ability to demonstrate compliance with regulatory performance objectives in our repository license application by several years. Considering this, and even though NRC's authority is limited to review of DOE's license application, DOE is nevertheless seeking NRC acceptance of certain aspects of the waste acceptance process to ameliorate uncertainties associated with production of a waste form in advance of regulatory approval of all other disposal elements (i.e, waste package, engineered barrier system, site characteristics).

8912130357 891211
PDR WASTE
WM-1 PDC

109
WM-1
NH01

It remains DOE's intention to transmit all of the WAP-related technical documentation to NRC, following the Department's own independent review process and approval. However, there are two distinct categories of WAP documentation. One category of documents will describe the programs which will be implemented to control the quality, consistency with specifications, and uniformity of the HLW form. DOE intends to seek NRC's review and acceptance of this documentation prior to the Department's decisions for radioactive operations at the DWPF and WVDP vitrification facilities. Considering this, we expect a series of interactions will occur involving NRC review and comment on this documentation, joint DOE/NRC comment resolution, and NRC observation of verification activities related to process control and quality assurance.

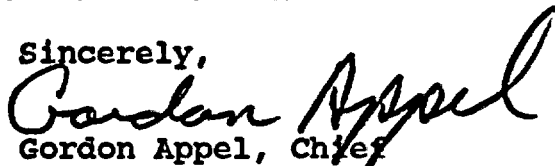
The other category of WAP documentation will describe the technical details related to the waste form (e.g., waste form testing results, etc.) and will be transmitted to the NRC for information. DOE is not seeking NRC's acceptance of the contents of these materials. However, it is expected that NRC will conduct any level of review that it deems appropriate, and DOE would, of course, seek to discuss the results of any such reviews with NRC.

As for other aspects of the OCRWM program, DOE will maintain a strategy for quality assurance audits and surveillance as a key part of implementing its waste acceptance process quality assurance programs and will continue to keep the NRC informed of all appropriate activities relative to its implementation.

We look forward to receiving and discussing, as appropriate, your review of the consolidated Open-Items list transmitted with our August 3, 1989, letter. Also, we believe that the DOE/NRC meetings to discuss our interactions, established in April 1989, and most recently held on November 7, 1989, are the appropriate forum to respond to your request for information on a revised schedule for our transmittal of WAP documentation and WAP activities.

If you have any questions or desire additional information regarding this letter, please contact me on 586-1462.

Sincerely,


Gordon Appel, Chief
Licensing Branch
Office of Civilian Radioactive
Waste Management

cc:

B.J. Youngblood, NRC
R. Loux, State of Nevada
M. Baughman, Lincoln County, NV
S. Bradhurst, Nye County, NV
D. Bechtel, Clark County, NV
K. Turner, GAO