

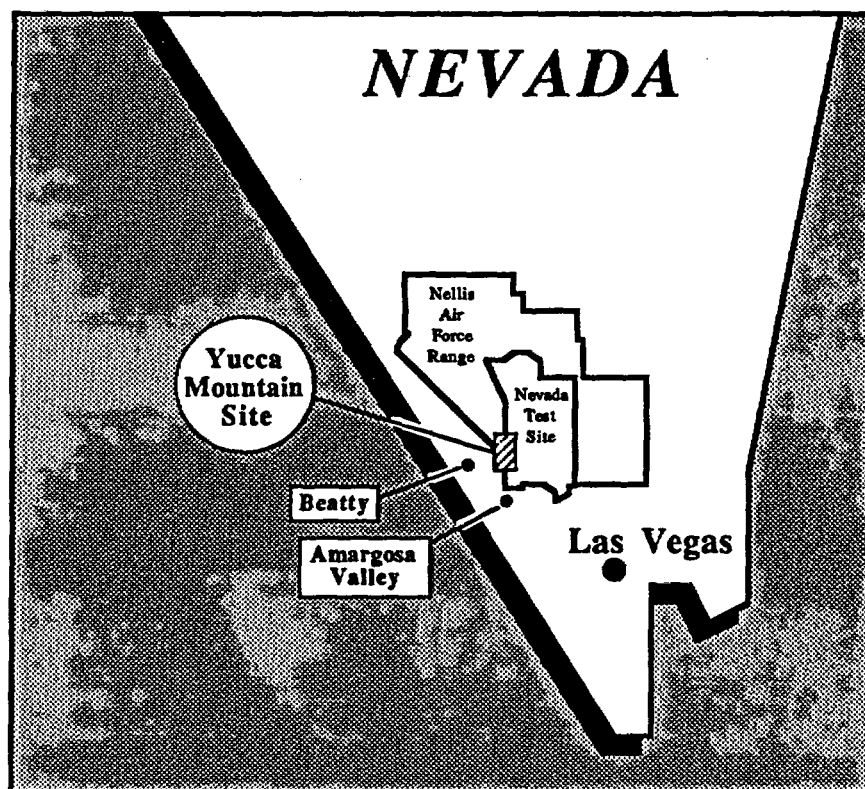
OCRWM Bulletin

DOE/RW-0155

United States Department of Energy
Office of Civilian Radioactive Waste Management
Washington, DC 20585

February 1988

Right-of-Way Reservation Granted to DOE at Yucca Mountain Site



On Jan. 6, 1988, by grant of a right-of-way reservation (ROWR), the Bureau of Land Management (BLM) has authorized the use by DOE of public lands for site characterization activities in the vicinity of the Yucca Mountain site, Nevada. The lands covered by the ROWR include approximately 51,632 acres and are managed by the Department of Interior's BLM, with a portion of the lands located on the Nellis Air Force Range.

Through the Nuclear Waste Policy Amendments Act of 1987, Congress has directed DOE to characterize the Yucca Mountain site for development of the first repository. The ROWR focuses on Yucca Mountain and the range of site characterization activities that must be performed in order to technically establish the geologic and hydrologic conditions of the area. Six types of site characterization activities are planned: hydrologic, geologic, geophysical, geochemical, paleoclimatic, and meteorological. These activities include, but are not limited to, installation of environmental monitoring facilities; exploratory shaft construction and subsurface construction of research facilities;

meteorological monitoring studies; installation of rain and stream flow gauges; and geologic mapping.

In granting this ROWR, the BLM retains the right to occupy and use the right-of-way or grant rights-of-way or other land uses for other purposes provided that the occupancy and use will not unreasonably interfere with the rights granted to DOE. After consultation with DOE, the BLM may authorize other uses within the "core area" where the exploratory shaft construction and other activities will take place. DOE will initiate consultation with BLM for proposed uses elsewhere within the ROWR area.

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For further information about the national program or for copies of new publications and documents listed in the *OCRWM Bulletin* contact the U.S. Department of Energy, OCRWM, Office of Policy and Outreach, Mail Stop RW-40, 1000 Independence Avenue, SW, Washington, DC 20585 (202) 586-5722. The OCRWM Information Services Directory is available to provide sources of program information for the States, Indian Tribes, involved parties, and the public.

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OCRWM Grant and Project Closeout Activities

On Dec. 22, 1987, President Reagan signed into law the Nuclear Waste Policy Amendments Act of 1987 (Amendments Act). This legislation substantially changes the Nuclear Waste Policy Act of 1982 (NWPAct) and the manner in which DOE conducts the radioactive waste disposal program.

Grants Closeout

Sections 5032 and 5033 of the Amendments Act provide for major changes to Sections 116 and 118 of the NWPAct regarding provision of financial assistance to States and Indian Tribes. The amendment to Section 116 states: "No State, other than the State of Nevada, may receive financial assistance under this subsection after the date of the enactment of the Nuclear Waste Policy Amendments Act of 1987." As a result, no further financial assistance under the NWPAct may be provided to the States of Louisiana, Mississippi, Texas, Utah, and Washington. The States have been directed to closeout all activities currently funded by grants under the NWPAct. Any remaining grant funds can be used only for the purpose of engaging in an orderly close out of existing commitments. All remaining funds must be returned to

DOE in accordance with provisions outlined in 10 Code of Federal Regulations 600.123.

Section 5033 of the Amendments Act amends Section 118(b)(5) of the NWPAct and provides that affected Indian Tribes may not receive any grants after Dec. 22, 1988.

Project Closeout Activities

Section 5011 of the Amendments Act directs the Secretary of Energy to provide for orderly phase-out of site-specific activities, except in Nevada, (other than reclamation activities) within 90 days. Actions resulting from this Congressional direction include:

- the consultation drafts of the site characterization plans for the Hanford, WA, and Deaf Smith County, TX, sites will not be released;
- the meeting between DOE and the affected States and Indian Tribes, scheduled for Jan. 27, 1988, and the plenary session to initiate consultation on the draft site characterization plans scheduled for Jan. 28-29, 1988, were cancelled;

- the environmental monitoring and mitigation plans, the socioeconomic monitoring and mitigation plans, and the environmental regulatory compliance plans for the Hanford and Deaf Smith sites will not be released;
- the meetings of the Office of Geologic Repositories coordinating groups, scheduled to occur within 90 days of the passage of the Amendments Act will not be held. These include the Geosciences Coordinating Group, the Quality Assurance Coordinating Group, the Performance Assessment/Safety Assessment Coordinating Group, the Environmental Coordinating Group, and the Institutional/Socioeconomic Coordinating Group. However, the current plan is to hold the Transportation Coordinating Group Meeting as scheduled on March 29-30, 1988, in Atlanta, GA.

In addition to the above actions, planning that addresses such activities as site reclamation, closing of information offices, termination of contracts, disposition of equipment, and disposition of work-in-progress is underway at the Texas and Washington sites. ☆

Right-of-Way Reservation Granted to DOE at Yucca Mountain Site

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It is not anticipated that site characterization activities will interfere with current or planned activities on the lands within the ROWR area. Archeological and threatened and endangered species surveys will be conducted by DOE prior to the start of surface disturbing activities. DOE will fulfill all requirements of the National Environmental Policy Act and all requirements of the Plan of Development that is included in the ROWR and further listed in Sections 4.1.1.4 and 4.1.2.6 of the Environmental Assessment for the Yucca Mountain site. Mitigation and reclamation will be used to return lands disturbed by site characterization to a stable ecological state with a form and productivity similar to the predisturbance state. Reclamation activities will occur in three phases: interim reclamation and site stabilization which will occur during site preparation and construction; final reclamation following abandonment or termination of sites; and post-reclamation monitoring.

The ROWR is for site characterization activities and does not convey any rights for the construction or initial operation of a nuclear waste repository. ☆

Currently Scheduled OCRWM Short-Term Program Milestones

April 1988	Issue OCRWM Annual Report to Congress
Spring 1988	Issue draft Mission Plan Amendment
July 1988	Issue Annual Capacity Report

**Office of Civilian Radioactive Waste Management Budget
(Dollars in Thousands)**

<u>Activity</u>	<u>FY 1987 Actual</u>	<u>FY 1988 Estimate</u>	<u>FY 1989 Request ^c</u>
First Repository	\$296,881	\$240,900	\$289,661
Second Repository	19,800 ^a	3,500	0
Monitored Retrievable Storage	20,000	4,000	15,000
Transportation, Systems Integration and Engineering Development	25,500	37,000	43,600
Program Management and Technical Support	45,871	56,800	62,232
Capital Equipment	11,944	17,800	23,339
Construction	0	0	0
	79,000 ^b		
Total Program	\$498,996	\$360,000	\$433,832

^{a/} Of this amount, \$10,200,000 was largely in support of nonsite specific investigations of the suitability of crystalline rock for repository medium. The remaining \$9,600,000 supported, to a great extent, the development of generic experimental techniques and analytical methods to be applied to repository geologic media taking advantage of applicable international experience.

^{b/} DOE reserve pending completion of the terms contained in the Continuing Resolution P.L. 99-500 and P.L. 99-591.

^{c/} Submitted to Congress on February 18, 1988. Details of budget request to appear in March *OCRWM Bulletin*.

Mission Plan Amendment to be Developed by DOE

When the original Mission Plan for the Civilian Radioactive Waste Management Program was issued in June 1985 to provide "an informational basis sufficient to permit informed decisions to be made in carrying out the programs required under the (Nuclear Waste Policy) Act" (NWP), it was recognized that the information it contained would change over time requiring the document to be updated. In June 1987, following the procedures in Section 301 of the NWP, the Mission Plan was amended to reflect the nomination and recommendation of sites for detailed site characterization, a 5-year extension of the schedule, a postponement of site-specific activities for a second repository, and other changes in OCRWM's priorities.

Since the June 1987 amendment to the Mission Plan, Congress has passed the Nuclear Waste Policy Amendments Act (Amendments Act) that has resulted in such significant changes in the OCRWM program (see *OCRWM Bulletin* for December

1987/January 1988), that the Mission Plan will be amended again. This action is needed in order to inform Congress and the public how DOE intends to implement the NWP in view of the provisions of the Amendments Act and to summarize the current status of the Civilian Radioactive Waste Management Program. The process of developing a Mission Plan Amendment (MPA) is now underway.

While the details of the MPA are yet to be determined, the MPA is expected to cover such topics as:

- DOE's current plans for fulfilling its responsibilities under the Amendments Act. This will include a description of the authorized waste-management system, the development schedule for the waste-management system, an explanation of the waste-acceptance strategy for a system that consists of one repository and a Monitored Retrievable Storage facility, and contingency plans.

- An explanation of how the technical plans and activities for the program elements have been changed by the Amendments Act and what principal developments have occurred since the June 1985 Mission Plan and the June 1987 amendment.
- A description of institutional plans and activities including DOE's interactions with new organizations established by the Amendments Act, as well as with those, such as the State of Nevada, with which there has been an established relationship. Also included will be discussions of the transportation institutional program, consultation and cooperation, and financial assistance.
- A discussion of how the new program will be managed.

A draft of the MPA is scheduled to be completed in spring-1988 and will be available for review and comment. ☆

Highlights of Actions Required in 1988 by the Nuclear Waste Policy Amendments Act of 1987

Date	Action By	Action
Enactment	Secretary Director, Office of Research President	Terminate all second repository site-specific activities. Offer to enter into benefits agreement with Nevada. Offer to Nevada to designate representative to conduct on-site oversight of site characterization activities. Terminate grants to all states except Nevada. Appoint Director of Office of Energy Subseabed Disposal Research. Appoint Nuclear Waste Negotiator with advice and consent of Senate.
1/21/88	President Pro Tempore of Senate Speaker of the House	Appoint three members to MRS Commission.
2/20/88	Secretary	Establish university-based Subseabed Consortium.
3/21/88	Secretary National Academy of Sciences (NAS) President	Terminate all site-specific activities at Texas and Washington sites (except reclamation). Recommend to President 22 persons to serve on Nuclear Waste Technical Review Board (NWTRB). Appoint 11 persons to NWTRB from among 22 recommended by NAS.
4/20/88	Nuclear Waste Technical Review Board	Terms begin—5 members for 2 years, 6 members for 4 years.
6/22/88	Secretary	Conclude phaseout of crystalline rock research programs.
9/22/88	Secretary	Report to Congress on analysis of institutional, cost, environmental and other factors related to subseabed disposal with recommendations.
10/1/88	Secretary	Report to Congress on study and evaluation of dry cask storage at reactor sites.
12/22/88	Secretary Secretary Nuclear Waste Technical Review Board	Report to Congress on potential impacts on Nevada in 14 subject areas resulting from locating repository in Nevada. Terminate all grants to Indian Tribes related to states other than Nevada. Submit first report to Congress and annually thereafter.
12/31/88	Director, Office of Subseabed Disposal Research	Submit first annual report to Congress.

Report Issued on Federal Interim Storage

DOE has issued its fifth annual report to Congress on possible plans for providing limited Federal Interim Storage (FIS) capacity for U.S. commercial spent nuclear fuel.

The Nuclear Waste Policy Act (NWP) charges DOE with developing a waste management system for the permanent disposal of spent nuclear fuel and high-level radioactive waste in a deep, geologic repository. Until DOE takes title to the spent fuel, the owners and operators of civilian nuclear power reactors have the primary responsibility for providing storage for their spent fuel.

DOE also has responsibility, under the NWP, for providing not more than 1,900 metric tons of capacity for interim storage of spent fuel from civilian power reactors that cannot reasonably provide adequate storage capacity on-site. However, the Nuclear Regulatory Commission (NRC) must make a determination of the eligibility of an applicant for FIS under the criteria and procedures in Title 10, Code of Federal Regulations, Parts 1 and 53.

The objective of the current FIS program is to plan for a Federal capability to store, on an interim basis, this spent fuel if required. To

date, the NRC has not received any applications from nuclear power plants for a determination of eligibility for FIS.

If it becomes necessary to implement deployment of FIS, the Federal Interim Storage Fund established by the NWP will be used to provide full cost recovery to the government from FIS users. OCRWM has developed a plan to assure deployment capability when and if it is necessary, but it is premature to identify specific sites and plans at this time as no expressed need has arisen. ☆

Selected Events Calendar

- | | |
|-------------------|---|
| March 15 | Fiscal Year 1989 Budget Hearings, House Energy and Water Subcommittee of the House Appropriations Committee, Washington, DC. |
| Mar. 22-24 | High-Level Waste Licensing Support System Advisory Committee Meeting, Reno, NV. Contact Howard Bellman, The Conservation Foundation, (202) 293-4800. |
| Mar. 29-30 | Transportation Coordinating Group Meeting, Waverly Hotel Atlanta, GA. Contact Ellen Livingston-Behan, (202) 646-6676. For reservations contact the Waverly Hotel at (404) 953-4500. |
| Apr. 18-19 | High-Level Waste Licensing Support System Advisory Committee Meeting, Washington, DC. Contact Howard Bellman, The Conservation Foundation, (202) 293-4800. |
| May 18-19 | High-Level Waste Licensing Support System Advisory Committee Meeting, Washington, DC. Contact Howard Bellman, The Conservation Foundation, (202) 293-4800. |
| June | High-Level Waste Licensing Support System Advisory Committee Meeting (date to be determined), Reno, NV. Contact Howard Bellman, The Conservation Foundation, (202) 293-4800. |

For details on DOE/NRC meetings call (1/800) 368-2235 for a recorded message. In the Washington, DC, area call 479-0487.

A telephone recording service has been established for the announcement of upcoming meetings related to the waste management program of the NRC. The number is (1/800) 368-5642, Ext. 79002. Washington, DC, area residents should call 427-9002.

For information on meetings and events occurring between issues of the *OCRWM Bulletin* use OCRWM INFOLINK, an electronic bulletin board that can be accessed through a standard computer communications capability on (202) 586-9359. The *OCRWM Bulletin* is now available through INFOLINK. ☆

New Publications and Documents

Consultation Draft Site Characterization Plan, Overview, Yucca Mountain Site, Nevada Research and Development Area, DOE/RW-0161, January 1988.

This Overview consists of brief summaries of important topics covered in the consultation draft of the site characterization plan for the Yucca Mountain Site, Nevada. It contains brief descriptions of the disposal system, the site, the repository, and the waste package. In addition, it discusses the characterization program to be carried out at the Yucca Mountain site. It is intended primarily for the management staff of organizations involved in DOE's repository program who might wish to understand the general scope of the site characterization program, the activities to be conducted, and the facilities to be constructed rather than the technical details of site characterization.

OCRWM Backgrounder: Radiation and High-Level Radioactive Waste, DOE/RW-0167, February 1988.

This Backgrounder presents information about the sources, effects, and relative risks of ionizing radiation.

OCRWM Backgrounder: Geographic Distribution of High-Level Radioactive Waste, DOE/RW-0168, February 1988.

This Backgrounder provides a tabulation in terms of metric tons and cubic meters of existing and projected spent nuclear fuel by State in 1986 and 2000. It also provides a tabulation in cubic meters of existing and projected national inventories of high-level radioactive waste by source and State.

OCRWM Backgrounder: Health and Safety Protection in the Management of the Nation's High-Level Radioactive Waste, DOE/RW-0169, February 1988.

OCRWM separates the safety issues for geologic repositories into three major categories: systems safety, radiological safety, and industrial safety (OCRWM Safety Plan, DOE/RW-0119, December 1986). This Backgrounder discusses each of these categories and describes the policies, standards, and activities relevant to the pursuit of safety in OCRWM's management of spent nuclear fuel and high-level radioactive waste.

OCRWM Backgrounder: The Multiple Barrier System of Geologic Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste, DOE/RW-0170, February 1988.

This Backgrounder describes the three elements that comprise the multiple barrier system, namely the waste package, the repository, and the host geologic medium. These elements are designed to complement each other in order to provide a high degree of nuclear waste containment and isolation.

Environmental Monitoring and Mitigation Plan for Site Characterization, Nevada Nuclear Waste Storage Investigations Project, Revision 1, DOE/RW-0176, January 1988.

This report describes the site-specific Environmental Monitoring and Mitigation Plan to be implemented during site characterization at the Yucca Mountain site to document compliance with Section 113(a) of the Nuclear Waste Policy Act.

Draft Environmental Regulatory Compliance Plan for Site Characterization of the Yucca Mountain Site, Nevada Nuclear Waste Storage Investigations Project, DOE/RW-0177, January 1988.

This document describes the plan by the Nevada Nuclear Waste Storage Investigations Project Office will comply with applicable environmental statutes and regulations. Also, it discusses how DOE will address State and local environmental statutes and regulations.

Socioeconomic Monitoring and Mitigation Plan for Site Characterization, Nevada Nuclear Waste Storage Investigations Project, Revision 1, DOE/RW-0179, January 1988.

This report describes the site-specific Socioeconomic Monitoring and Mitigation Plan to be implemented during site characterization at the Yucca Mountain site to document compliance with Section 113(a) of the Nuclear Waste Policy Act.

Implementation Plan for Deployment of Federal Interim Storage Facilities for Commercial Spent Nuclear Fuel, DOE/RW-0120, January 1987.

This is the fifth annual report to Congress on possible plans for providing limited Federal Interim Storage capacity for U.S. commercial spent fuel.