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AGENCY FOR NUCLEAR PROJECTS
NUCLEAR WASTE PROJECT OFFICE

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WM Record File

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WM Project 11

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Distribution:

Kennedy
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X Linehan
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Mr James Kennedy
Division of Waste Management
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dear Mr. Kennedy:

Per your request, this letter discusses my comments and thoughts as a State of Nevada observer of the U.S. Nuclear Regulatory Commission (NRC) audit of the Los Alamos National Laboratory (LANL) Quality Assurance Program. The audit concentrated on LANL's Mineralogy/Petrology studies performed for the U.S. Department of Energy (DOE) Nevada Nuclear Waste Storage Investigation (NNSWI) Project. The audit was conducted on June 8 - 12, 1987 at LANL. As described in the entrance meeting, the objective of the audit was for the NRC to conduct sufficient review of the Quality Assurance Program prior to the start of site characterization to have reasonable assurance the Quality Assurance Program meets the requirements of 10 CFR Part 60, Subpart G. A specific purpose with respect to the LANL audit was to assess both the implementation and effectiveness of the Quality Assurance Program. The DOE proposed an audit of the LANL Mineralogy/Petrology Program which, in the view of the DOE, met the requirements of Subpart G.

The State of Nevada was invited by the NRC (J. Linehan to R. Loux letter, May 6, 1987) to participate as an observer in the audit. The State had two purposes in participating in the audit: 1) to assess the adequacy of the LANL Quality Assurance Program and the management commitment to quality; and 2) to assess the performance of NRC's audit to meet its stated objectives. The State had no criteria by which to measure audit performance or adequacy of a Quality Assurance Program, only past experience in nuclear projects was used as a guide in assessing the performance of both parties. It is believed both purposes were accomplished as a result of participation in the audit.

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The State's role as an observer in an NRC audit of a potential license applicant is a unique one. The Nuclear Waste Policy Act of 1982 defines the affected State and Indian Tribe as an active participant in the repository program. Yet the role of "observer" in a quality assurance audit translates to more passive involvement. In this context, the appropriateness of comments of State/Tribe participants and the ultimate disposition of such views is unclear. Clarification of the disposition of State/Tribal comments in future audits would be helpful.

Relative to the adequacy of the LANL Quality Assurance Program and the management commitment to quality, it was observed that:

1) LANL technical staff demonstrated a good appreciation of the quality assurance audit process. Necessary technical procedures for performing quality work were in place and appeared to be followed. Traceability of data was well-documented.

2) LANL Quality Assurance Program organization is in place but the administrative implementation of the program and procedures appears less than adequate. This may be due to a lack of appreciation of the role of quality assurance in licensing, or an inadequate management commitment to quality assurance.

It appears that a commitment to fully implement a Quality Assurance Program will be required to effectively support the scientific work of the technical staff.

Relative to the NRC role in the audit, it was observed that:

1) The NRC conducted a fair and thorough audit, given the five days allocated for the audit. The audit produced an adequate sampling of the Mineralogy/Petrology Program.

2) The conclusions drawn by the NRC on the Mineralogy/Petrology Program and the LANL Quality Assurance Program were reasonable.

In conclusion, it would appear that the LANL implementation of a Quality Assurance Program for Mineralogy/Petrology studies is not adequate to meet the requirements of 10 CFR Part 60, Subpart G. A concept of ongoing consultation between the NRC and DOE/LANL

for the purpose of improving the Quality Assurance Program is a constructive one and is supported by the State. The State would request participation in any such future interactions.

Sincerely,



Carl A. Johnson
Administrator of Technical Programs

CAJ/sjc

cc: Donald Vieth, DOE/WMPO
Carl Newton, DOE/OCRWM
Donald Oakley, LANL
John Linehan, NRC
Paul Prestholt, NRC/OR