

EDO 0004175/CVR

- 1 - JAN 25 1989

MEMORANDUM FOR: George Lear, Assistant Director
 Special Issues Directorate
 Planning Management, Policy Development
 and Analysis Staff

FROM: Robert E. Browning, Director
 Division of High-Level Waste Management

SUBJECT: HLWM RESPONSE TO TOPICS RAISED AT OCTOBER 27, 1988
 ACNW MEETING WITH COMMISSIONERS

Enclosed is the information you requested on EDO ticket 0004175. This response answers topics 1 and 8 of the January 4, 1989 memorandum from Dade Moeller, Chairman of the Advisory Committee on Nuclear Waste, to Executive Director of Operations, Victor Stello, Jr.

Original Signed by
 Robert E. Browning

Robert E. Browning, Director
 Division of High-Level Waste Management

Enclosure:
 As stated

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HLWM RESPONSES
TO TOPICS RAISED AT
ACNW MEETING WITH COMMISSIONERS
ON OCTOBER 27, 1988

ACNW Topic 1: "The DOE contractor staff involved with waste-related activities at the Savannah River facilities has noted some difficulty in communicating with the NRC staff on acceptance criteria for Savannah River high-level, solidified waste. We believe this is an issue internal to DOE, not with the NRC staff, but it should be rectified to ensure the acceptability for disposal of the Savannah River waste product."

The staff agrees that there is a communication difficulty and that it is an issue internal to DOE. The Division of High-Level Waste Management has formally notified DOE's Office of Civilian Radioactive Waste Management (OCRWM), the potential licensee for the repository, of this concern. OCRWM agrees that they are the DOE office responsible for overall internal DOE integration of the acceptability of the HLW waste forms to be produced at Savannah River and West Valley for disposal in the repository. OCRWM has committed to ensure this concern will be addressed by taking the lead for planning and scheduling appropriate interface meetings among DOE, Savannah River, West Valley, and NRC as needed.

ACNW Topic 8: "Dr. Smith noted the problems associated with overlapping responsibilities between NRC and the EPA for the disposal of mixed wastes. Concern was expressed about the possible implications of this arrangement to the disposal of high-level and transuranic wastes."

DOE is responsible for assuring compliance with both NRC regulations for repository licensing and EPA regulations for hazardous waste disposal under the Resource Conservation and Recovery Act (RCRA). DOE is currently working with EPA and affected state agencies authorized for RCRA enforcement to achieve and maintain compliance with applicable RCRA requirements at DOE nuclear installations. DOE will inform both agencies when and if it becomes aware that compliance with applicable EPA requirements for disposal of any mixed wastes in a repository might interfere with compliance with applicable NRC requirements.

With regard to disposal of spent fuel and high-level vitrified wastes, DOE is working to demonstrate to both DOE's and EPA's satisfaction that these wastes are not "mixed wastes." NRC plans to keep informed of the progress of this effort through periodic meetings with either DOE and/or EPA.