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letter was to identify certain procedures the DOE must implement to help preserve the integrity of the core samples and assure the reliability of information to be used to support licensing findings. We suggest that you discuss this subject further with the DOE legal counsel.

For guidance on the rules of evidence applicable to NRC proceedings, see Section 3.11, and the cases cited therein, of the enclosed NRC Staff Practice and Procedure Digest, NUREG-0386. This Digest is updated periodically and may prove useful to your legal staff. Updates of the Digest are available through the Government Printing Office. In addition, while not directly applicable to NRC proceedings, the NRC adjudicatory boards often look to the Federal Rules of Evidence for guidance.

We hope you find the above information responsive to the concerns raised in your February 28, 1986 letter. While the staff stands ready to consult with you on these matters, we cannot be prescriptive on implementation of DOE's program. Specifically, the DOE should develop positions based on the unique knowledge resulting from DOE sponsored research/site activities and internal consultation among DOE technical experts and legal counsel. Designated staff contacts, such as the On-Site Licensing Representatives and project technical contacts, should be used to provide informal feedback to facilitate the DOE's efforts.

Please contact King Stablein (FTS 427-4611) if you want to discuss further NNWSI's plans to resolve the NRC's concerns regarding handling, transportation, and storage of core.

John J. Linehan, Acting Chief
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Division of Waste Management
Office of Nuclear Material Safety
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Enclosure:

U.S. NRC Staff Practice and Procedure Digest, NUREG-0386, January 1986.

Record Note: This letter has been coordinated with Chip Cameron, ELD.

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