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LPDR - WM-11 (2)

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WM Record File

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Mr. Robert Browning, Director
Waste Management Division
Office of Nuclear Material Safety and Safeguard
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dear Mr. Browning:

This correspondence is a request for information concerning the review and concurrence role of the Nuclear Regulatory Commission (NRC) or its staff in the meteorological monitoring program being conducted by the U.S. Department of Energy (DOE) for the Nevada Nuclear Waste Storage Investigations Project (NNWSI) at the Yucca Mountain Site, Nevada.

In accordance with NRC regulations in 10 CFR 60 and subsequently issued corresponding guidance (Regulatory Guide 4.17), the DOE must prepare a site characterization plan (SCP) for NRC review before initiating site characterization activities at proposed sites for nuclear waste repositories. Knowledge of climatic conditions at a proposed repository site is addressed in both the regulations and the guidance. Since the NNWSI has already issued a document titled "Meteorological Monitoring Plan" DOE/NV 10270-5, dated July 19, 1985 and implemented the plan, it, therefore, stands to reason that NRC has reviewed, commented upon, and concurred with the NNWSI plan for meteorological characterization now underway at the Yucca Mountain site. Is this a correct assumption on our part? Nevada's interest in this matter is described in the attachment to the letter.

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Your timely response to this request for information about the NRC role in ongoing meteorological studies for NNWSI will be appreciated. Comments on how such involvement will fit into or complement the NRC plans for reviewing the comprehensive draft SCP anticipated to be issued by DOE also are of interest to us.

Sincerely,


Robert R. Loux
Executive Director

RRL/CAJ/sjc

Attachment

cc: Paul Prestholt

ATTACHMENT

BACKGROUND INFORMATION ON AND RATIONALE FOR THE REQUEST TO THE
NRC RELATIVE TO THE DOE METEOROLOGICAL MONITORING PLAN
FOR NNWSI AT THE YUCCA MT. SITE

The DOE has prepared, issued, and implemented a Meteorological Monitoring Plan for NNWSI at the proposed repository site at Yucca Mountain, Nevada. The plan was dated July 19, 1985, and issued as publication DOE/NV/10270-5 with the purpose of describing how DOE will obtain onsite meteorological data to satisfy various requirements for permitting and licensing a nuclear waste repository, in particular regulations of the NRC, for which, as the plan notes on page 1-13 "specific regulations and guidelines that outline the length and extent of meteorological data required for a geological repository pursuant to 10 CFR 60 have not yet been promulgated."

In lieu of guidance from NRC on meteorological monitoring and data analyses, DOE chose to base its Meteorological Monitoring Plan for the Yucca Mountain site in part, as noted on page 1-2, "on an understanding of the types of information (data and analyses) required by NRC for licensing other nuclear facilities (reactors, reprocessing plants, spent fuel storage facilities)...". This strategy is developed further on pages 1-16 to 1-19 of the plan where NRC licensing requirements for environmental protection (10 CFR 51) and radiation protection (10 CFR 20) are cited. Also cited are 10 CFR 60 and NRC Regulatory

Guide 4.17 that specify that meteorological conditions must be addressed but do not provide technical guidance. DOE further notes that NRC Regulatory Guides 4.18 and 4.2 regarding environmental reports and NRC Regulatory Guide 1.70 concerning safety analysis reports do provide limited guidance on the meteorological data needed for analyses of environmental protection, safety, and potential radiological impacts.

Because of the absence of direct guidance from NRC in regards to the preparation of the DOE Meteorological Monitoring Plan for Yucca Mountain, it can be expected that NRC would have reviewed and commented upon the adequacy of the plan to help DOE assure that the environmental protection and safety analysis data it was to gather would satisfy the NRC requirements. Now that DOE has implemented the plan and currently is monitoring meteorological characteristics at the proposed repository site at Yucca Mountain, NRC should confirm and verify that it reviewed and commented on the plan, and it should share that information with the State of Nevada in accordance with 10 CFR 60 and the role of the States in developing the site characterization plan.

It is important to the State of Nevada to know whether or not DOE has proceeded with or without the concurrence of NRC in regards to the meteorological aspects of site characterization at Yucca Mountain. There is no information suggesting that NRC has endorsed a preliminary or draft site characterization plan for

NNWSI or the meteorological component of it as outlined in Regulatory Guide 4.17. Thus, there is no assurance of the scientific, technical, and regulatory soundness of the meteorological studies DOE has underway now at Yucca Mountain.