

106

6-27-84

Seth Coplan
Don Vieth

Please review the attached memo and advise me of any mistakes or misimpressions that I have reported.

Carl Newton
353-4851

WM Record File

102.2

WM Projct: 11

Docket No.

PDR

LPDR

Distribution:

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DRAFT FOR REVIEW

RW-23

NNWSI Proposed Data Reviews with NRC**J. William Bennett, Acting Associate Director
Office of Geologic Repository Deployment**

On the June 7, 1984, memorandum (attached) from Seth Coplan, NRC, to Don Vieth, you wrote the following questions: "What are Vieth's plans relative to the proposed data reviews? How does Coplan's definition of data reviews compliacte the site specific agreement, i.e., they are neither technical nor management meetings?"

As you may know, pre-SCP workshops with NRC had been scheduled by NNWSI for July 10-12 at LASL on geochemistry, July 17-19 at Sandia on repository design, and July 24-26 in Denver on hydrology. All three of these meetings have been announced on our toll-free "800" number over the past few weeks. The first two of these (geochemistry and repository design) have been "downgraded" by NNWSI to be data reviews rather than workshops. NRC's opinion, as stated on page 2, paragraph 3, of the attached letter, is that data reviews of this type ". . . do not constitute technical or management meetings under Section 2 of the Procedural Agreement" and that ". . . while we consider it prudent to announce that such site visits by NRC staff are taking place, members of the general public need not be admitted or involved." This change of not requiring that members of the general public be admitted or involved really helps in that members of the public cannot readily be admitted onto the Sandia site, nor onto the portions of the NV site for a tour planned as part of the Denver meeting.

Thus, the answer to your first question regarding Don Vieth's plans is that NNWSI now plans to hold data reviews with NRC for two of the three upcoming meetings. The public will not be invited. Because these meetings had previously been announced on our "800" number as open to the public, we will continue to acknowledge on the recording that these interactions with NRC are occurring and that summaries of the meetings will be placed in NRC's PDR, but that members of the public cannot be accommodated. I would also note that some data reviews with NRC, like the one in Columbus on hydrology last month, was open to the public. This was announced on the recording and, as a result, many actually attended.

For future data reviews between NNWSI (or any project) and NRC, we plan to defer to the project's judgment. If the project wants the meeting announced on the recording and the public told they cannot be accommodated, we will do it. If the project prefers to not even announce the meeting on the recording, we will comply. Please advise me if this policy is all right with you or if we need to change it.

With regard to your second question about whether these data reviews complicate the site-specific agreements, we feel they do not. These interactions with NRC are being interpreted by NRC to be outside the scope of both the Morgan-Davis and the site-specific agreements. According to Seth Coplan, this opinion has been reviewed by Hub Miller of NRC and by NRC's Office of General Counsel.

I hope this satisfactorily answers your questions. I will be happy to meet with you to discuss this matter further.

Mark W. Frel, Acting Director
Engineering & Licensing Division

Attachment

cc: D. Vieth
H. Miller
S. Coplan
H. Bermanis

6-27-84

Seth Coplan
Don Vieth

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	Docket No. _____
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Distribution:	
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Mark W. Frei, Acting Director
Engineering & Licensing Division

Attachment

cc: D. Vieth
H. Miller
S. Coplan
H. Bermanis

DD FORM 1

Example 1- 3/ 14, Approved by NARS, June 1978

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6. FROM CARL NEWTON GTN

7. OFFICIAL BUSINESS Carl Newton (Signature of authorizing official)

(TIME) A.M. P.M.

8. DATE 6-27-84

9. TO 1. DON VIETH, NV 575-3662 2. SETH COPLAN, NRC SILVER SPRING, MD 427-4675

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