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Mr. Loring E. Mills, Vice President
The Association of Electric Companies
1111 19th Street, N.W.
Washington, D.C. 20036-3691

Dear Mr. Mills:

This letter responds to your letter of December 19, 1989, in which you offered comments on the Nuclear Regulatory Commission's (NRC's) Site Characterization Analysis (SCA) of the Department of Energy's (DOE's) Site Characterization Plan (SCP) for the Yucca Mountain site in Nevada. In order to respond to all commenters on the SCA simultaneously with our response to DOE's comments on the SCA, we are providing our response to your letter at this time. In particular, we are responding to the following observations concerning the SCA: (1) apparent lack of recognition in the SCA of the need for adequate, as opposed to complete, information for licensing; (2) lack of integration in the SCA; and (3) need for the NRC staff to emphasize that "full system performance assessments" should not mean detailed, complex assessments requiring a near complete suite of data.

With regard to your comment on the need for adequate, as opposed to complete, information for licensing, the NRC staff agrees that the criterion for the amount of data to be gathered should be that which is adequate for DOE to make a demonstration of compliance with 10 CFR Part 60. We recognize the potential risk of penetration and drifting in the Calico Hills unit to the waste isolation capability of that unit. That concern was the basis for the NRC's Objection 2 in the Consultation Draft Site Characterization Plan. In January 1991, the NRC staff met with DOE and discussed the Calico Hills Risk/Benefit Analysis and the Exploratory Shaft Facility Alternatives Study and made the above point in discussions.

The NRC staff agrees with your comment that the site characterization review process should help focus site characterization activities on essential elements and considers that the SCA does reflect an integrated approach. This philosophy is expressed in the July 31, 1989 letter from Robert M. Bernero, Director of NRC's Office of Nuclear Material Safety and Safeguards, to Sam Rousso, then Acting Director of DOE's Office of Civilian Radioactive Waste Management. In this letter, the NRC stated that "investigations associated with tectonic phenomena should receive early attention" and that "high priority should be given to conducting those investigations which can lead to a determination of whether the site is subject to an unacceptably high probability of disruption as a result of volcanism, faulting, or seismicity." In the July 31, 1989 letter, the NRC also expressed the need for improved technical integration of the overall site characterization program. In its response to the SCA, DOE has indicated that it is making changes in its site characterization program to address this mutual concern.

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The NRC staff also agrees with your comment that, in the early stages of the site characterization program, full system performance assessments should not be expected to involve detailed, complex assessments requiring a near-complete suite of data. In the "Director's Comments and Recommendations" section of the SCA, the staff stated that "total system performance assessments should be conducted periodically, starting at an early date, to reevaluate, based on the emerging data, the preliminary licensing strategies and performance allocations" (p.2-5) (emphasis added). The NRC staff would expect that the total system performance assessments will be only as detailed and complex as needed to reevaluate these strategies and performance allocations. In addition, we see the use of these early performance assessments as one way to help focus site characterization activities on essential elements for the determination of site suitability.

We trust that this letter is responsive to your concerns. We welcome your comments on NRC's high-level waste disposal program in the future as well as participation by your representatives in our technical interactions with DOE and other parties.

Sincerely,

/s/

John J. Linehan, Acting Director
Repository Licensing and Quality Assurance
Project Directorate
Division of High-Level Waste Management

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* See previous concurrence.

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