

NATIONAL RESEARCH COUNCIL

COMMISSION ON PHYSICAL SCIENCES, MATHEMATICS, AND RESOURCES

2101 Constitution Avenue Washington, D.C. 20418

BOARD ON
RADIOACTIVE WASTE MANAGEMENT
(202) 334-3066

Office Location:
Milton Harris Building
Room 462
2001 Wisconsin Avenue, N.W.

July 8, 1988

Dr. Michael J. Bell
Deputy Director
Division of Waste Management
U.S. Nuclear Regulatory Commission
(MS-623-SS)
Washington, D.C. 20555

~~Dear Dr. Bell:~~
MIKE
Dear Dr. Bell:

As you may know, one of the panels established under the guidance of the NAS/NRC Board on Radioactive Waste Management is providing a series of technical reviews during the decision-making and technology development process that the U.S. Department of Energy (DOE) is pursuing for the disposal of wastes now stored in single-shell tanks (SSTs) at the Hanford site. The next meeting of the panel will be in Washington, D.C. on 7/8 September; as you can see from the enclosed preliminary agenda, much of the meeting will be devoted to regulatory matters. We believe that there will be substantial benefit to the panel and to DOE from bringing together the principal regulatory groups affected for a one day discussion of the HSST situation and the impact on it of the various regulatory groups.

Inasmuch as the position taken by NRC concerning the single shell tank problems is key, the requested presentation by NRC representatives on the first day of the meeting, between 1345 and 1430, will be one of the more important ones provided. The principal points of interest to the panel are outlined in the second enclosure. We are urging each organization that will be joining us, and yours in particular, to provide both policy and technically oriented representation, and to maintain organizational representation throughout the entire day--including the roundtable discussion at the end.

If you anticipate any problems with arranging for the NRC presentation--and we know that 45 minutes is not very much time--please advise at your earliest convenience. We are quite enthusiastic about this next meeting, and anticipate a fruitful session.

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PDR WASTE
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As usual, you and your associates are cordially invited to join us for lunch.

Sincerely,



Peter B. Myers
Staff Director

Enclosures: Preliminary Agenda
Topics to be Addressed by Regulatory Agency Representatives

cc: Bernd Kahn

July 5, 1988

Preliminary Agenda

Fourth Meeting
of the Panel Reviewing the DOE Documentation Relating
to Storage of Radioactive Waste in Single Shell Tanks
at Hanford, Washington

(HSST)

September 7 and 8, 1988

Georgetown Building , 2001 Wisconsin Ave, N.W., Washington, D.C.
Green Building, Room 134

WEDNESDAY September 7, 1988

EXECUTIVE SESSION

0830-0915 Chairman's Remarks

Approval of Tentative Agenda

TAB A

Approval of HSST-3 Minutes

TAB B

Bias Procedures

TAB C

OPEN SESSION

0915-1015 HSST Update: Status of Tripartite Agreement,
Overall Program Plans, and technical
developments.

1015-1100 Assessment and Current Approach: SST
Waste Characterization Program with
emphasis on recognized regulatory issues.

1100-1115 BREAK

1115-1200 DOE (Regulatory)

1200-1245 LUNCH

1245-1345 EPA (Regulatory)

1345-1430 NRC (Regulatory)

1430-1500 Washington State (Regulatory)

EXECUTIVE SESSION

1500-1530 Review Presentations

1530-1545 BREAK

Enclosure

OPEN SESSION

1545-1715 Regulatory roundtable

1715 ADJOURN for the Day

1800 Panel Dinner

THURSDAY SEPTEMBER 8, 1988

EXECUTIVE SESSION

0830-0900 Review Regulatory Presentations and HSST
Presentations

OPEN SESSION

0900-1045 Continue Waste Characterization Program
Discussion

1045-1200 Discussion of Other Topics and Issues (Problems
suitable for emphasis at future panel meetings)

1200-1245 LUNCH

EXECUTIVE SESSION

1245-1345 Discussion of Material Presented

1345-1400 Set date(s) for Next Meeting(s)

OPEN SESSION

1400-1530 Close-out Discussions with DOE

1530 ADJOURN

5 July 1988

TOPICS TO BE ADDRESSED BY REGULATORY AGENCY REPRESENTATIVES

1. In order for the panel to perform its role with regard to the HSST program, it must understand the regulatory imperatives; it can then consider what scientific issues arise in the process of meeting these imperatives, as well as whether scientific issues require consideration of other or additional imperatives. For example, the HSST sampling program will be key in determining which radionuclides and hazardous wastes are present and, equally important, which are not. While various panel members are expert in techniques for detection of such wastes and for evaluation of their biological impacts, the value of their technical comments is maximized when it is based upon both science and awareness of how cognizant regulatory agencies will require science to be applied. While a panel member's scientific knowledge may span techniques for detection over a range of sensitivities, his advice will be of greatest value if he knows what level is required by regulation, what the basis was for the regulatory mandate, and the extent to which the level is subject to reevaluation under certain circumstances. For these reasons, the panel would greatly benefit from a briefing by representatives of your agency who are familiar with both the policy and the technical considerations associated with fulfilling its responsibilities to regulate the disposal of HSST wastes.

2. The overall objective of the panel will be met if, as a result of this briefing, it understands:

a- The role of your agency in disposing of the contents of the HSSTs.

Enclosure

b. Your agency's relationships (scope and interfaces) with other involved regulatory agencies.

c. What areas of jurisdictional uncertainty your agency now recognizes.

d. The status (finality, technical/scientific content) of your applicable regulations and associated material.

e. What areas of technical/scientific uncertainty your agency now recognizes with regard to its regulatory responsibilities.

3. We will request and anticipate receiving informal presentations consistent with the preceding from DOE, EPA, Washington State, and the USNRC.

4. We will meet at the NAS/NRC Georgetown facility on 7/8 September. While the agenda has not yet been prepared, we anticipate at this time that as much as 1 hour (total) will be available for presentations by each agency in open session, and that they will take place on 7 September. We intend to reserve at least an additional hour for general discussion between the panel members and the participants.

5. The presenters should assume that all of the panel members are somewhat familiar with their organizational responsibilities and with their published material, and that some members are very familiar with them. Pertinent published, or if unpublished releasible, material such as applicable Federal Regulations will be extremely helpful and will be

distributed to the members by NAS staff several weeks before the meeting if received in time. It is neither expected nor desirable that this material be covered "by the numbers" in the presentations, but it will be invaluable for pre-meeting review by the panel members.

6. Panel members have expressed interest in the following additional specific regulatory questions--all of which are believed to be subsumed in the topics listed in 2 above:

- a- What is the U.S. NRC intent concerning HSST licensing?
- b- What are the DOE requirements concerning the waste form of HSST materials that may have to be disposed as HLW.
- c- What EPA standards will apply if toxics are present in the waste form?
- d- Will the HSSTs be considered storage and/or disposal areas in the RCRA sense, and what standards will apply?
- e- Which regulatory agencies are involved, and how, during the processing by DOE of waste into the HLW waste form.?

f- What is the status of EPA's response to the court-imposed requirement to revise 40 CFR 191?

g- What is the status of the EPA low-level radioactive waste standard?

h- Will DOE have sole regulatory responsibility for mixed wastes with radionuclide levels not greater than Class C? If so, what standards apply and what are the principal anticipated disposal problem areas?