

PA/WSE&I MINING REGS

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JAN 03 1991

Mr. Ted D. Romine  
WSE&I Element Manager  
Center for Nuclear Waste Regulatory Analyses  
P.O. Drawer 28510  
6220 Culebra Road  
San Antonio, Texas 78228-0510

Dear Mr. Romine:

SUBJECT: DRAFT COMMENTS ON MINING REGULATIONS SYSTEMATIC REGULATORY ANALYSIS (SRA)

Attached are comments on the mining regulations SRA prepared by Naim Tanious. My letter of December 11, 1990 noted that these would be prepared and forwarded to the Center.

It is not necessary that the Center respond to these comments at this time. The mining regulation regulatory requirements topic has been selected as one of three topics for early SRA and the comments should be addressed as part of that task effort when initiated.

Sincerely,

ORIGINAL SIGNED BY

Philip Altomare  
WSE&I Program Element Manager

cc: S. Mearse, CAB  
S. Fortuna, PMDA  
M. Lee, HLPD

Attachment: As stated

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December 20, 1990

*Draft*

NOTE TO: P. Altomare, HLPD

FROM: N. Tanious, HLEN *N. Tanious 12/20/90*

SUBJECT: REVIEW OF CNWRA SYSTEMATIC REGULATORY ANALYSIS OF  
MINING REGULATIONS REFERENCED IN 10 CFR 60.131(b)(9)

This note summarizes my review of the CNWRA systematic regulatory analysis (SRA) of 10 CFR 60.131(b)(9), as per your request dated December 11, 1990. My comments are given as two sets: general and specific. Please note that some of the comments may reflect unfamiliarity with the procedure of the SRA analysis. Also, I understand from a telephone conversation this morning with Asad Chowdhury of the CNWRA that the product I reviewed is the synopsis, and that the full text of the SRA is much larger in size and contain more detail.

General Comment:

The SRA of 60.131(b)(9) appears complete, as outlined in the elements of proof logic diagram, depicted on page 4. However the level of detail in most of the technical review components for EP0400, may not be sufficiently developed at this stage of the analysis to assist the NRC reviewers. To conduct an adequate review, the NRC reviewers would have to frequently consult the appropriate sections of 30 CFR, and determine for themselves the specific requirements for the SRA technical review component that is being followed (see for example explosives storage & handling on pages 9 and 10).

This comment may apply to other regulations that may be subjected to the SRA analysis, such as those referencing part 20.

Specific Comments:

1. The logic of organization of the technical review components, is not clear. For example, TS0400 on page 6, starts with parts of Subchapter B, then switch to parts of Subchapter N, then switch back to parts of Subchapter B again, on page 9. This switching occurs again on page 11.
2. Page 11 - RC 0439: inconsistent citation of 30 CFR 57, using Subpart L, instead of using the the subpart numbers.

FULL TEXT REVIEW

ATTACHMENT

*Draft*

3. There appears to be few parts of Subchapter B that are not included in the SRA. These parts include: part 23-Telephones and signaling devices, part 26-Lighting equipment for illuminating underground workings, and part 35- fire-resistant hydraulic fluids. Communication and lighting directly affect mine-worker safety.

4. Page 20 - last paragraph, the second sentence appear to contradict the remainder of the paragraph. It should be noted that construction of new emplacement panels will be concurrent with waste emplacement operations in panels already constructed.

5. Page 24 - RC0413- check the accuracy of the sentence: "There are no provisions for the NRC to regulate the inclusion of hardhats, safety shoes, and other protective equipment, so the regulation is included here." The CNWRA should check existing NRC safety provisions for industrial safety at nuclear power plants and fuel cycle facilities.

6. Page 29 - RC0448, the second sentence, the words "vital" may be more appropriate than the words "extremely important".

7. Page 29 - RC0451, the words "to maintain stable ground" may be more appropriate than the words "to compensate for the shifting ground", revise the remainder of the sentence accordingly.

cc: M. Nataraja  
J. Pearring  
J. Bunting  
J. Linehan

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DEC 11 1990

Mr. Ted D. Romine  
WSE&I Element Manager  
Center for Nuclear Waste Regulatory Analyses  
P.O. Drawer 28510  
6220 Culebra Road  
San Antonio, Texas 78228-0510

Dear Mr. Romine:

SUBJECT: MINING REGULATIONS SYSTEMATIC REGULATORY ANALYSIS

In reference your letter to me of October 19, 1990, regarding the mining regulations systematic regulatory analysis (SRA) results submittal, we noted in a telephone conversation with the Center that further work would be held in abeyance as it had not specifically been allocated FY 1991 budget funds. At present the Regulatory Requirement Topic related to this subject is being considered as one of three early SRA examples to be developed. Accordingly, I have requested Naiem Tanious of the Engineering Branch to further review the document with the objective of providing comments to you by December 21, 1990.

Sincerely,

*151*

Phillip Altomare  
WSE&I Program Element Manager

cc: S. Mearse, CAB  
S. Fortuna, PMDA

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