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Mr. Patrick C. Mackin, Deputy Technical Director
Waste Systems Engineering and Integration
Center for Nuclear Waste Regulatory Analyses
Southwest Research Institute
6220 Culebra Road
San Antonio, Texas 78228-0510

Dear Mr. Mackin:

SUBJECT: TECHNICAL DIRECTION FOR SUBTASK 5.1: SPECIAL PROJECTS

The purpose of this letter is to provide the Center for Nuclear Waste Regulatory Analyses (CNWRA) with technical direction to support the Nuclear Regulatory Commission staff in its evaluation of the U.S. Department of Energy's (DOE's) proposed program approach (PPA). The scope and content of the technical direction (enclosed) was discussed during the week of August 1, 1994, between Mr. Mark S. Deligatti and Mr. Aaron R. Dewispelare of the NRC and CNWRA, respectively.

The action taken by this technical direction is considered within the scope of the current contract. No changes to cost or delivery of contracted services and products are authorized. Please review this direction and identify any resulting impact on contract scope, schedule, or cost.

Sincerely,

Michael P. Lee, Program Element Manager
Waste Systems Engineering and Integration
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

Enclosure: As stated

cc: J. Linehan, NMSS/PMDA
B. Meehan, ADM

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ASSISTANCE TO THE NRC STAFF IN DETERMINING MODIFICATIONS TO NRC'S PROGRAM TO MEET THE CHALLENGES OF DOE'S PROPOSED PROGRAM APPROACH

The NRC staff is determining what effect the U.S. Department of Energy's (DOE's) proposed program approach (PPA) may have on current and future activities in NRC's high-level waste repository program. Of particular concern at this time is the relationship between 10 CFR Part 60, NRC's licensing requirements for the high-level waste program and the "high-level findings" DOE intends to make under 10 CFR Part 960, DOE's siting requirements for a high-level waste repository. According to the PPA, DOE will focus on making a series of high-level findings associated with the Technical Site Suitability (TSS) determinations.

Since 10 CFR Part 960 is based upon 10 CFR Part 60, many of the requirements look at similar issues, but from the differing perspectives of site suitability and licensing. Therefore, the NRC staff may be able to use its License Application Review Plan (LARP), codes and models, and other licensing-related materials to help in its review of many of the high-level findings. NRC staff reviews of the TSS in no way preclude or replace the staff's review of an eventual repository license application. In some cases the TSS and licensing findings may be on the same (or closely related) technical areas. In those cases the staff may be able to state whether it believes, at the time of its review of the high-level finding, that it would need to see additional data to make a finding for a compliance determination for licensing.

The CNWRA will assign appropriate staff to work as part of an NRC/DOE team to accomplish the following Tasks:

1. Relationship of 10 CFR Part 960 and 10 CFR Part 60 Requirements.

   a. The team shall develop a matrix (or matrices) to determine which NRC 10 CFR 60 requirements are related to each DOE 10 CFR Part 960 TSS high-level finding. The team shall review and revise a previously developed draft matrix which displays the 10 CFR Part 60 requirements in terms of the proposed Compliance Demonstration Methods (CDMs) planned for the LARP.

Time Frame for Task 1a: Task to be completed by August 10, 1994.

   b. The team shall review the order and separability of the DOE TSS high-level findings and the 10 CFR Part 60 requirements. This task will involve going to the next level of review of the information in the matrix. The team will determine how closely related the 10 CFR Part 960 requirements associated with the TSS high-level findings for site suitability are to the 10 CFR Part 60 licensing requirements. The purpose of this activity is to allow the team to make recommendations regarding the degree to which licensing-related review plans, etc. can be used or would have to be changed to be used in reviewing DOE's high-level findings.

Time Frame for Task 1b: Task to be completed by August 17, 1994.

   c. The team shall specify what resources the NRC staff must have available before starting a review of DOE's TSS high-level findings. This could include models, codes, CDMs, other documents, staff skills, etc.

d. If directed by NRC and CNWRA management, the team shall make recommendations on what resources would be necessary to support DOE's preliminary site suitability decision schedule.

Time Frame for Tasks 1c and 1d: Tasks to be completed by September 7, 1994.

2. Follow-on Tasks.

Depending on the outcome of Task 1 and additional information on the NRC and DOE high-level waste programs, the NRC may request additional assistance from the CNWRA to continue to look at questions of work prioritization and resource availability.

Time Frame for Follow-on Tasks: September 4, 1994 - October 30, 1994.