

Department of Energy
Washington, DC 20545

SEP 9 1988

TO: Malcolm Knapp, Director
Division of Low-Level Waste Management
and Decommissioning, NMSS, NRC

John E. Baublitz, Acting Director
Office of Remedial Action and Waste Technology, DOE

Subject: Streamlining The Title I Review - DOE - NRC Meeting,
September 8, 1988

Under Public Law 95-604, remedial action will be selected and performed with the concurrence of the NRC (Commission). Recently, this review and concurrence process has resulted in increasing schedule delays. Many of these delays are a result of NRC limited staff resources not allowing it to keep up with DOE submittals. A meeting was held at the NRC Rockville, Maryland office on September 8, 1988, to review the DOE/NRC review and concurrence process and recommendations proposed to reduce delay and at the same time accelerate the process. A list of attendees is attached as Attachment 1.

Attachment 2 sets forth the agreements concurred in by both agencies at that meeting.

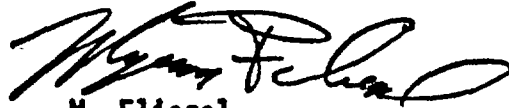
In order to implement the agreements, the following actions are necessary:

1. A Standard Format and Content (SF&C) Guide needs to be prepared. The SF&C guide will detail the information needs and format for the document discussed in agreement 1. NRC will prepare a draft of this document for DOE review.
2. The Memorandum of Understanding (MOU) between NRC and DOE needs to be revised to reflect the agreements. DOE will prepare a draft of this revision for NRC review.
3. States and Tribes should be notified and brought into the process. DOE will identify the States and Tribes that can be affected by the agreements. The mechanism to notify and bring the States and Tribes into the process will be discussed at the next NRC/DOE meeting on streamlining.


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Attachment 3 outlines the proposed agenda items for review and discussion at the next meeting. The date and time for this meeting will be determined in the very near future.



M. Fliegel
Leader, Uranium Recovery Section, LLOB,
Nuclear Regulatory Commission



T. Brazley
Program Manager
Division of Uranium Mill Tailings Projects
Department of Energy

3 Attachments

ATTACHMENT 1

**LIST OF ATTENDEES
DOE/NRC STREAMLINING MEETING
SEPTEMBER 8, 1988**

Paul Lohaus	LLWM	FTS 492-3345
Robert Fonner	OGC	492-1643
Debbie Mann	DOE	846-1243
Jack Baublitz	DOE	353-5006
Sally Mann	DOE	353-6436
Dan Gillen	LLWM	492-0517
Myron Fliegel	LLWM	492-0555
John Surmeier	LLWM	492-3439
Mal Knapp	LLWM	492-3342
Mark Matthews	DOE-UMTRAPD	844-3941
Tony Brazley	DOE/HQ/NE	353-5438
Ed Hawkins	URFO	FTS 776-2805

ATTACHMENT 2

Agreements Reached at DOE/NRC Streamlining Meeting September 8, 1988

AGREEMENT 1

DOE will submit for NRC review, as the basis for concurrence in the selection of remedial action, one document tailored to NRC's need to produce a Technical Evaluation Report (TER) focusing on how the EPA standards will be met. This contrasts with current DOE documents that focus on what the proposed remedial action is. This document can be a revised version of the RAP or a different document. NRC will first prepare a Standard Format and Content guide (SF&C) detailing the information we need and the format we need in it. The DOE document conforming to the SF&C would be the only document NRC would review. This document would tie together the information that DOE has in its other documents and logically lay out all the pieces needed for NRC to conclude that the EPA standards are met, while excluding the material that NRC does not have to review.

AGREEMENT 2

Since the Remedial Action Inspection Plan (RAIP) is prepared by DOE in conjunction with the final design, NRC will combine this review with that of the selection of remedial action and not provide a separate concurrence. The inspection plan and procedures to ensure that construction conforms to the design can be considered as part of the design process. DOE will have to include this information in the document provided to NRC for concurrence in the selection of remedial action. NRC will make minor changes to its

TER to include discussion of this aspect in the appropriate sections; primarily erosion protection and geotechnical engineering.

AGREEMENT 3

The NRC review process of the document described in Agreement 1, leading to NRC concurrence in the selection of remedial action, will consist of the following steps:

- a. DOE will prepare a draft of the document at about the time of the 60% design review. NRC will perform an informal review of that draft but will not transmit formal comments to DOE.
- b. NRC staff will visit the site and meet with DOE. NRC will provide DOE with formal verbal comments on the draft documents which will be discussed at the meeting.
- c. DOE will prepare a final version of the document for formal NRC review. NRC will prepare a draft Technical Evaluation Report (TER) and/or comments. Open issues, if any, which preclude NRC concurrence will be highlighted.
- d. After resolution of open issues, NRC will concur in DOE's selection of remedial action. NRC will finalize the TER to support its concurrence.

AGREEMENT 4

NRC concurrence with the performance and completion of remedial action will be based on DOE having adhered to the designs and specifications that NRC concurred in at the "selection of remedial action" stage. NRC concurrence will be based on written certifications by both the DOE Project Manager and the DOE Contract Officer that the remedial action has indeed been performed and completed as per the designs and specifications. DOE will provide the final completion report to NRC with the certifications, but NRC would not review it in detail. NRC concurrence would be documented with a note or memo explaining the basis of that concurrence, i.e., that it is not based on an independent review but on DOE's certification.

ATTACHMENT 2

THURSDAY, January 18, 1990

UMTRA-PO, Albuquerque, NM

Meeting with NRC/DOE Staff on Modifications to the NRC/DOE MOU

Mike Kearney	TAC	845-4030
Frank Bosiljevac	DOE	845-5638
Tony Brazley	DOE/HQ/EM	FTS 233-5438
Myron Fliegel	NRC/LLWM	FTS 492-0555
Michael Abrams	DOE	FTS 845-4628
Dan Gillen	NRC/LLWM	FTS 492-0517

ATTACHMENT 3

AGREEMENT 2

Since the Remedial Action Inspection Plan (RAIP) is prepared by DOE in conjunction with the final design, NRC will combine this review with that of the selection of remedial action. The inspection plan and procedures to ensure that construction conforms to the design can be considered as part of the design process. DOE will provide this information with the document provided to NRC for concurrence in the selection of remedial action. NRC will make minor changes to its TER to include discussion of this aspect in the appropriate sections; primarily erosion protection and geotechnical engineering. A separate concurrence document addressing the RAIP will be executed at the time of and in conjunction with concurrence with the selection of remedial action.