

June 23, 1988

Mr. John E. Latz, President  
Center for Nuclear Waste  
Regulatory Analyses  
P. O. Drawer 28510  
6220 Gulebra Road  
San Antonio, TX 78284

Subject: PROGRAM ARCHITECTURE ACCELERATION

Dear Mr. Latz:

Please accelerate the development of the Program Architecture by time phasing so as to produce, to extent practicable, interim products that will assist the NRC management and staff in meeting the programmatic production schedule. To that end, it is desired that the development focus first on those regulatory requirements that pertain to siting. The desired outcome is to produce 1) an analysis and evaluation of those regulatory, institutional and technical uncertainties pertaining to siting, 2) identify those uncertainties that you would recommend the use of rulemaking to reduce the uncertainty to acceptable levels, 3) their relative priority, 4) supporting rationale; and 5) an analysis and evaluation of the regulatory requirements and their relative importance to siting that could be an aid to identifying those aspects of the Site Characterization Plan that should have priority consideration in the NRC staff review. It is understood that certain risks are associated with this approach in that analysis, recommendations and decisions will be made before the systems engineering analysis is completed. NRC recognizes and accepts responsibility for this risk.

The goal of the Program Architecture development of putting into place the optimum NRC program to reach the regulatory decision on Construction Authorization within the three-year time period mandated by the NWPA and accommodate the follow-on NRC program remains unchanged. NRC indicated to the Congress the repository was a first of a kind undertaking with significant unknowns. Such a short time-frame was very risky. However, NRC conceded that the three-year time-frame was possible if DOE submitted a high quality application. This assumed that regulatory and institutional uncertainties as well as those technical uncertainties associated with Compliance Determination Methods would have been reduced to the point where litigation was not required.

Based on the preliminary implications of your work to date, there may well be more uncertainties to be addressed than can be accommodated solely by NRC in the time remaining. NRC staff desires that the development of the Program Architecture follows a strategy that focuses first on reducing regulatory uncertainty (this includes technical aspects). NRC has the unique responsibility to eliminate regulatory uncertainties that could impede its licensing process through rulemaking or other appropriate means. This can be accomplished by clarifying its intent and/or establishing the "Elements of Proof". Assume that NRC will notify DOE that it must take the lead for the

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reduction of technical uncertainties, particularly those pertaining to compliance determination methods. This strategy would still involve a substantial effort<sup>by</sup> the part of NRC and the Center in compliance determination uncertainty reduction.

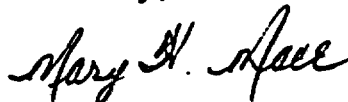
The Program Architecture development should incorporate the terminology contained in Technical Direction SE88-1. The target date for the interim deliverable on siting is no later than December 21, 1988. The specific concepts for inclusion in the December deliverable are enclosed.

Please submit a proposal to NRC no later than June 30, 1988 which includes the following information:

1. The total cost for task one (program architecture development) thru Oct 14, 1988
2. A breakout of task one costs for each Operations Plan thru Oct 14, 1988
3. A table that reflects the cost impact to task 1 for each Operations Plan thru Oct 14, 1988 (and if necessary, tasks 2, 3 & 5)
4. A proposal for any additional funds, if required
5. Revised Program Architecture development process chart and description
6. Process steps for achieving the December deliverables and descriptors
7. Revised major milestones thru December 31, 1988

The acceleration of Program Architecture shall not impact upon the Research Operations Plan nor the Transportation Risk Study Operations Plan. Also, Task 4 shall not be affected in any Operations Plan.

Sincerely,



Mary H. Mace, Contracting Officer  
Contract Administration Branch  
Division of Contracts and Property  
Management  
Nuclear Regulatory Commission

JOB/yl  
Enclosure as stated

**December 1988 Milestone**

1. Site constrained regulations identified.
2. Site constrained regulatory requirements identified, analyzed, and prioritized.
3. Site constrained elements of proof identified, analyzed, evaluated, and prioritized.
4. Site constrained regulatory and institutional uncertainties identified, analyzed, evaluated, and prioritized.
5. Regulatory and institutional uncertainty reduction methods postulated, analyzed, and evaluated.
6. Results of previous steps loaded in PASS.
7. Recommendations for rulemaking, priorities, and supporting rationale.
8. Recommendations for focus of staff review of the Site Characterization plan with supporting rationale.
9. Site constrained technical uncertainties and uncertainty reduction methods developed to the extent practical.