

# **Overview of U.S. Nuclear Regulatory Commission Review of U.S. Department of Energy's Draft Environmental Impact Statement**



October 7, 1999  
DOE/NRC Technical Exchange on  
U.S. Department of Energy's Draft Environmental Impact Statement  
for a Geologic Repository of Spent Nuclear Fuel and High-Level Radioactive Waste  
at Yucca Mountain, Nye County, Nevada

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# **NUCLEAR REGULATORY COMMISSION ROLE**

- Nuclear Regulatory Commission Decided Not to Become a Cooperating Agency
  - No Involvement in Development of Draft EIS
  - Nuclear Regulatory Commission Committed to Providing Comments During EIS Development
- Nuclear Waste Policy Act of 1982, As Amended, Requires Nuclear Regulatory Commission to Adopt Department of Energy's Final EIS to "the Extent Practicable"
  - Decision Whether it is Practicable to Adopt DOE's FEIS Occurs During Licensing Proceedings for Receipt and Possession of Source, Special Nuclear, and Byproduct Material at the Geologic Repository Operations Area

# **NUCLEAR REGULATORY COMMISSION REVIEW**

- Focus on Radiological Health and Safety, Including:
  - Storage
  - Transportation
  - Decommissioning
  - Disposal
- Comment on Any Issue That Might Render Environmental Impact Statement Defective

# **EARLIER REVIEW ACTIVITIES**

- **Prelicensing Interactions on Issues Relating to:**
  - **Site Characterization**
  - **Repository Design**
  - **Performance Assessment**
  - **Quality Assurance**
- **Review of Viability Assessment**

# **CURRENT REVIEW ACTIVITIES: TWO PART REVIEW**

## **Completeness Review**

- Determine the Completeness of Draft Environmental Impact Statement
- Focus Future Staff Efforts

## **Evaluative Review**

- Detailed Review
- Early Meeting (Technical Exchange) to Help Clarify Information Needed to Resolve Issues

# COMPLETENESS REVIEW

## Objectives:

- Evaluate Interagency and Intergovernmental Coordination
- Ensure that the Draft EIS is Comprehensive in its Consideration of Potential Environmental Impacts

# EVALUATIVE REVIEW

## Objective:

- Evaluate the Adequacy and Sufficiency of Department of Energy's Assessment of Impacts

## Focus:

- Areas within NRC's Special Expertise (Radiological Health and Safety of Workers and the Public)

## Range of Comments:

- Any Issue That Might Render Environmental Impact Statement Defective
  - Potential Weakness Upon Judicial Review

# **NUCLEAR REGULATORY COMMISSION REVIEW: STATUS (TECHNICAL EXCHANGE)**

- Intent of Questions
  - (1) Identify Information Necessary for Staff to Continue its Review
  - (2) Clarify Information that could Remove a Potential Comment
  - (3) Verify Staff Understanding of Information Related to Potential Comments