

Memorandum

WM ROCKEFELLER CENTER
CENTRAL

DATE: FEB 21 1986

'86 FEB 25 P4:00

REPLY TO
ATTN OF: RW-24

SUBJECT: Preparation for February 27, 1986 NRC Commission Meeting

TO: Ben Rusche, RW-1

In preparation for your meeting with the NRC Commissioner on February 27, 1986, the NRC staff has prepared an analysis of the status of actions following up on several comments made by Chairman Falladino in his letter to you on October 24, 1985 commenting on the Project Decision Schedule. The NRC staff analysis is provided for your use as the attachment to this memorandum.

We have reviewed the NRC analysis and have a few comments to make the status discussion more accurate. Our comments are incorporated into the attachment to this memorandum by lining out the NRC text that we consider should be deleted, and by enclosing the text that we have inserted in square brackets. The lines that were changed are further indicated by a vertical line in the margin.

If you have any questions about the attachment, or need any further information, please give me a call. I am also making our comments available to the NRC staff for their information prior to the February 27 meeting.

W. J. Purcell
William J. Purcell
Associate Director for
Geologic Repositories -
Office of Civilian Radioactive
Waste Management

WM Record File
109

WM Project 1
Docket No. _____
PDR
LPDR

B603180414 B60221
PDR WASTE
WM-1 PDR

Distribution:
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(Return to WM, 623-SS)

Orig. not rec'd
2/26/86

Detailed Back-up to Question 13(c)

The six actions identified in Palladino's letter of October 24, 1985 and their status are as follows:

- 1) Meet with NRC staff to lay out milestones and schedules for timely NRC/DOE consultation for planned activities through site characterization.

DOE has committed to meet with the NRC staff to lay out milestones and schedules for its plans and activities through site characterization to provide a detailed and systematic basis for determining the appropriate points for timely NRC/DOE consultation. However, DOE has yet to agree to a specific date for the initial meeting.

(DOE/OGR Comment - OGR has been unable to schedule the meeting with NRC due to the press of work associated with the EAs and ARRs. Also, prior to meeting with NRC, we will have to have an internal meeting with the Project Managers to determine the basis on which we can conduct the planning meeting with the NRC. We will schedule the planning meeting as soon as possible.)

- 2) Develop a licensing support system (LSS) to accomplish a three year, or shorter, time period for a construction authorization decision.

NRC and DOE have agreed that the LSS would be a joint NRC/DOE effort for use by DOE, NRC, States, Indian Tribes, and other parties to the repository licensing hearings. DOE will have the responsibility of designing and implementing the LSS, incorporating on-line, full text storage and retrieval techniques. NRC will participate jointly with DOE in defining the requirements for and procedures for operation of the system. NRC will carry out a pilot project to demonstrate document storage and retrieval capabilities and to develop processes that could lead to an interim system for use within NRC (and possibly others) until the full LSS is implemented by DOE. The experience gained from the pilot project will be made available to DOE for use in expediting the definition of requirements for the LSS.

(DOE/OGR Comment - On February 20, 1986, DOE and NRC conducted the first meeting of an Interagency Coordinating Committee that will serve as the vehicle for allowing NRC, the States, and the Indian Tribes to participate in the design, implementation, and operation of the LSS. The next meeting is tentatively scheduled for April 3, 1986. The topics of discussion will be 1) definition of the LSS system requirements and 2) the requirements for document collection.)

- 3) Implement an effective quality assurance program before site characterization begins.

DOE has committed to have a fully qualified QA program in place prior to submittal of the Site Characterization Plans (SCPs) and start of site characterization activities. DOE is currently developing Headquarters and Project level QA programs. NRC will continue its review of DOE's development of QA programs and provide appropriate guidance to help assure that agreed-on QA measures are in place prior to the start of site characterization activities [submittal of the SCPs].

(DOE/OGR Comment - DOE recognizes establishment of an acceptable QA program as one of the highest priority tasks that it must accomplish and is proceeding as rapidly as possible to do so.)

- 4) Adopt a conservative approach in treating uncertainties in geotechnical investigations.

In several NRC/DOE meetings since the October 24, 1985 letter, the NRC staff have again raised to DOE the need to take a conservative approach in the treatment of uncertainties in their planned geotechnical investigations for site characterization. A conservative approach by DOE to its technical work is one of the keys to maintaining the aggressive schedules outlined in the Mission Plan and the DPDS. The NRC staff will not know to what extent DOE has taken a conservative approach until DOE makes available its test plans for site characterization activities. Such test plans will be the subject of pre-SCP technical meetings with DOE.

(DOE/OGR Comment - The extent to which DOE intends to take a conservative approach in the treatment of uncertainties will be discussed with the NRC prior to issuance of the SCP. DOE is currently defining and prioritizing the site characterization program through a performance allocation process. The performance allocation process will initially deal with uncertainties by overcompensating with multiple redundant barriers. As site characterization proceeds, the extent of uncertainty will be greatly reduced.)

- 5) Establish design parameters and performance goals for the repository at an early date.

In recent technical meetings, DOE has made commitments that design parameters and performance goals will be set in the SCPs for repository subsystems to guide site characteriza-

tion. [These performance goals will, by necessity, be subject to revision as the site characterization activities and repository design and performance analysis work proceed.] The NRC staff will not know to what extent DOE establishes design parameters and performance goals until DOE makes available its test plans for site characterization activities. Such test plans will be the subject of pre-SCP technical meetings with DOE.

(DOE/OGR Comment - DOE is proceeding to establish performance goals for the repository at this time, as requested by NRC. These performance goals will be discussed with the NRC as soon as possible, before submittal of the SCFs.)

- 6) Resolve major State and Indian Tribe contentions at an early stage in order to expedite the NRC hearing process.

In a September 3, 1985 letter from DOE (W. J. Purcell) to NRC (Browning), DOE has committed to continue an open program of involving the States, Indian Tribes and outside parties in the program activities and of making readily available data and information pertaining to the sites. DOE also indicated that they plan to address and resolve to the extent possible, technical and institutional concerns that are identified by outside parties prior to issuance of the license application. It is premature to judge what DOE's performance will be in this area. However, to date, BEE has been criticized by the States in this area.

(DOE/OGR Comment - DOE is emphasizing to its staff and contractors the need to encourage State and Indian Tribe participation in its decision making processes. The States and Indian Tribes are full participants in all DOE/NRC technical meetings, and have recently been invited to attend and participate in several of the internal coordinating groups between DOE headquarters and the Project Offices. In addition, DOE is continuing its policy of participating in quarterly meetings between the management of the Department's geologic repository program and the management of the State's and Indian Tribe's oversight organizations. DOE will continue to seek additional means and opportunities of interfacing with the States and Indian Tribes as the program progresses.)

Handwritten notes:
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'86 FEB 24 P:114

MEMORANDUM FOR: File 3101
FROM: Paul Hildenbrand
Repository Projects Branch, DWM
SUBJECT: MANAGEMENT MEETING BETWEEN THE U. S. NUCLEAR REGULATORY
COMMISSION (NRC) AND THE U. S. DEPARTMENT OF ENERGY (DOE)

Date/Location of Meeting

January 6, 1986, U. S. Department of Energy, Washington, DC

Attendees

U.S. Department of Energy U.S. Nuclear Regulatory Commission

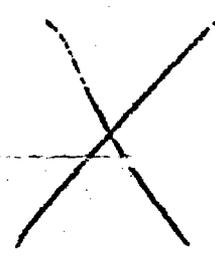
W. Purcell
J. Robertson
R. Stein

R. Browning
H. Miller
J. Linehan
P. Hildenbrand
M. Weber
N. Coleman

Weston

The purpose of the meeting was for NRC to bring to the attention of DOE management the following programmatic concerns, identified at the December, 1985 BWIP Hydraulic Stress Testing (LHS) meeting:

- ✓ o At the December LHS meeting, DOE was unable to provide a sound technical rationale for the purpose and timing of the proposed testing or how the proposed testing program fit into the overall scheme of site characterization.
- ✓ o It appeared that the preparation of the proposed test plans did not receive sufficient management overview. In addition, there was a noticeable absence of DOE management at the December meeting or available for debriefing at the end of the meeting.
- ✓ o DOE did not agree to the December meeting with NRC on the LHS testing until NRC pushed for an open meeting prior to the start of testing. This is contrary to the pre-consultation agreements between NRC and DOE and significant since in the previous hydrology meeting (May 1985) issues were identified which NRC and DOE jointly agreed needed to be resolved prior to LHS testing.



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Headquarters/OCRWM

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DATE: 21 FEB 86

NUMBER OF PAGES, EXCLUDING
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PHONE: 427-4672

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COMMENTS: _____

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