

COMPLIANCE DETERMINATION STRATEGY

RRT 2.4 REQUIREMENTS FOR FURTHER TECHNICAL INFORMATION

APPLICABLE REGULATORY REQUIREMENT:

10 CFR 60.24(a)

TYPES OF REVIEW:

Acceptance Review (Type 1)

RATIONALE FOR TYPES OF REVIEW:

Acceptance Review (Type 1) Rationale:

This regulatory requirement topic is considered to be license application-related because, as specified in the license application content requirements of 10 CFR 60.21(c) and the regulatory guide "Format and Content for the License Application for the High-Level Waste Repository" (FCRG), it must be addressed by the U.S. Department of Energy (DOE) in its license application. Therefore, the staff will conduct an acceptance review of the license application for this topic.

It should be noted that for the purpose of this particular regulatory requirement topic, a Type 1 review is sufficient because the technical reviews of any detailed information described in this section of the license application will be conducted as part of the Acceptance and Compliance Reviews performed elsewhere in the license application. If there are any deficiencies in the provision of the necessary technical information, then additional information will be requested from DOE as part of these reviews.

REVIEW STRATEGY:

Acceptance Review:

This regulatory requirement topic is limited to the provision of further technical information, currently under development or not available at the time of license application submittal, needed in support of the issuance of a license. It includes information needed to confirm repository designs or conditions, or evaluate alternatives to repository design. It is not concerned with information to be acquired from the performance confirmation program, addressing safety questions derived from that program. The review of that information will be addressed in Section 8.6 ("Unresolved Safety Questions") of the license application and its attendant review plan.

In conducting the Acceptance Review of the requirement to provide further technical information, the reviewer should determine if the information present in the license application for demonstrating compliance with the applicable regulatory requirement is complete in technical breadth and depth as identified in Section 2.4 of regulatory guide "Format and Content of the License Application for the High-Level Waste Repository (FCRG)."

In accordance with the FCRG, the reviewer should determine if DOE has provided a listing of each specific location within the license application where information is not yet available, even though it will be required in support of the issuance of a license. The reviewer should determine that the listing identifies the technical information to be obtained, and should also contain: (1) a reference to the area of the license application for which the information is needed; (2) an explanation of why the information was not available at the time of license application submittal; (3) an evaluation to demonstrate how the absence of this information might impact decisions related to 10 CFR Part 60 siting and design criteria, or performance objectives; and (4) a schedule for obtaining the information.

The reviewer should note that the information provided in Section 2.4 of the license application will form the basis for the Compliance Reviews of information contained elsewhere in the license application. Accordingly, the reviewer should determine that the information in this section of the license application is presented in such a manner that the assumptions, data and logic are clear and do not require the reviewer to conduct extensive independent analyses or literature searches. The reviewer should also determine that controversial information and appropriate alternative interpretations have been acceptably described and considered. If there are any deficiencies in the provision of the necessary technical information in this section of the license application, then additional information will be requested from DOE as part of the Compliance Reviews conducted elsewhere in the license application.

Finally, the reviewer should determine if the U.S. Department of Energy (DOE) has either resolved all the NRC staff objections that apply to this requirement for further technical information or provided all the available information required in Section 1.6.2 of the FCRG, for unresolved objections. The reviewer should evaluate the effects of any unresolved objections, both individually and in combinations with others, on: (1) the reviewer's ability to conduct a meaningful and timely review; and (2) the Commission's ability to make a decision regarding construction authorization within the three-year statutory period.

RATIONALE FOR REVIEW STRATEGY:

Not Applicable.

Contributing Analysts:

NRC: Kenneth L. Kalman, Michael P. Lee

CNWRA: Stephen H. Spector

Dates of Analysis: 4/29/93

APPLICABLE REGULATORY REQUIREMENTS FOR EACH OF TYPE REVIEW:

Type 1:

10 CFR 60.24(a)

REFERENCES:

Code of Federal Regulations, "Disposal of High-Level Radioactive Wastes in Geologic Repositories," Part 60, Chapter I, Title 10, "Energy."

Nuclear Regulatory Commission, "Format and Content For the License Application for the High-Level Waste Repository." Office of Nuclear Regulatory Research. [Refer to the "Products List" for the Division of High-Level Waste Management to identify the most current edition of the FCRG in effect.]

Subject Code 701.6
 Project No. 20-5702-031

MAR 4 1993

NOTE TO: P.C. Mackin, Waste Systems Engineering
 and Integration Program Element Manager
 Center for Nuclear Waste Regulatory Analyses

FROM: Robert L Johnson, NRC-WSEI Program Element Manager *JLH*
 Repository Licensing and Quality Assurance
 Project Directorate
 Division of High-Level Waste Management

SUBJECT: TRANSMITTAL OF PRELIMINARY NRC STAFF APPROVAL OF THE COMPLIANCE
 DETERMINATION STRATEGY FOR REVIEW PLAN 2.4: REQUIREMENTS FOR FURTHER
 TECHNICAL INFORMATION

The purpose of this note is to transmit the subject compliance determination strategy (CDS) that has received preliminary approval by the NRC staff. Final approval of the CDS is subject to our review and resolution of any comments by the Center for Nuclear Waste Regulatory Analyses.

Enclosure: As stated

cc: BYoungblood/HLWM
 JLinehan/HLWM
 DLoosley/PMDA
 KKalman/HLWM
 MLee/HLWM
 PMackin/CNWRA
 HLPD r/f

OPC	<i>JLH</i>	<i>E</i>	<i>HLPD</i>	<i>E</i>	<i>HLPD</i>	<i>HLPD</i>		
NAME	<i>KKalman/dh</i>		<i>RJohnson</i>		<i>JWJ</i>	<i>RJohnson</i>		
DATE	<i>03/4/93</i>		<i>03/04/93</i>		<i>03/13/93</i>	<i>03/2/93</i>		

C = COVER E = COVER & ENCLOSURE N = NO COPY

OFFICIAL RECORD COPY

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Waste Dept
to CERX

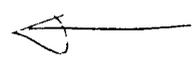
New Government

COMPLIANCE DETERMINATION STRATEGY

RPT Review Plan 2.4
REQUIREMENTS FOR FURTHER TECHNICAL INFORMATION

APPLICABLE REGULATORY REQUIREMENT:

10 CFR 60.24(a)



applies to
revisions to
HA, not initial
submitted.

TYPES OF REVIEW:

Acceptance Review (Type 1)

RATIONALE FOR TYPES OF REVIEW:

Acceptance Review (Type 1) Rationale:

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The technical

It should be noted that for the purpose of this particular regulatory requirement topic, a Type 1 review is sufficient because reviews of any specific technical information will be conducted as part of the Acceptance Review in individual Review Plans. If there are any deficiencies in the provision of the necessary technical information, it is unlikely that the review of these other regulatory requirement topics will progress to Compliance Reviews.

REVIEW STRATEGY:

Acceptance Review:

In conducting the Acceptance Review of the requirements to provide further technical information in accordance with the FCRG, the reviewer should determine if DOE has provided a listing of each specific location within the license application where information is not yet available, even though it will be required in support of the issuance of a license. This listing will identify the technical information to be obtained or developed and should also contain: reference to the program for which the information is needed; explanation of why the information was not available; indicate if the information is needed to determine adequacy or will be used to demonstrate the margin of conservatism of a proven design; a schedule for obtaining the

Government's
preferred
presumes a
reasonable response.

|| ?

Doesn't make sense

information; and design alternatives, if appropriate. The reviewer should determine if the safety features of such technical information to be submitted after receipt of the license application have been identified, described and discussed fully in this section of the application. The reviewer will not conduct a Compliance Review of the information presented in this section because that review will be conducted in the section dealing with the provision of specific technical information.

This section of the license application should also identify special technical information development programs which are to be undertaken and programs that will be conducted after the license has been issued, during operations at the repository in order to demonstrate the acceptability of contemplated future changes in design or operation.

Additionally, the reviewer should determine if the U.S. Department of Energy (DOE) has either resolved all the NRC staff objections that apply to this requirement for further technical information or provided all the available information required in Section 1.6.2 of the FCRG, for unresolved objections. The reviewer should evaluate the effects of any unresolved objections, both individually and in combinations with others, on: (1) the reviewer's ability to conduct a meaningful and timely review; and (2) the Commission's ability to make a decision regarding construction authorization within the three-year statutory period.

RATIONALE FOR REVIEW STRATEGY (OPTIONAL):

Not Applicable.

Contributing Analysts:

NRC: Kenneth L. Kalman

CNRA: Stephen H. Spector

Dates of Analysis: 3/04/93

OF

APPLICABLE REGULATORY REQUIREMENTS FOR EACH TYPE REVIEW:

Type 1:

10 CFR 60.24(a)

REFERENCES CITED:

Code of Federal Regulations, "Disposal of High-Level Radioactive Wastes in Geologic Repositories," Part 60, Chapter I, Title 10, "Energy."

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[modified to include ML's 3/18 comments,
& RJ's 4/21 comments]

COMPLIANCE DETERMINATION STRATEGY

RRT 2.4 REQUIREMENTS FOR FURTHER TECHNICAL INFORMATION

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RATIONALE FOR REVIEW STRATEGY:

Not Applicable.

Contributing Analysts:

NRC: Kenneth L. Kalman, Michael P. Lee

CNWRA: Stephen H. Spector

Dates of Analysis: ^{4/89} 4/22/93

APPLICABLE REGULATORY REQUIREMENTS FOR EACH TYPE REVIEW:

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10 CFR 60.24(a)

REFERENCES:

Code of Federal Regulations, "Disposal of High-Level Radioactive Wastes in Geologic Repositories," Part 60, Chapter I, Title 10, "Energy."

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