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~~RUSCHE BRIEFING~~

MAR 07 1986

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MEMORANDUM FOR: Joseph O. Bunting, Chief
Policy and Program Control Branch

FROM: Alma Hale, Program Assistant (HLW)
Integration Section, WMPC

SUBJECT: RUSCHE BRIEFING

Mr. Benard C. Rusche met with the Commission on Thursday, February 27, 1986, to discuss the status of High Level Waste (HLW) activities under the Nuclear Waste Policy Act (NWPA) of 1982. The meeting lasted from 10:00 a.m. to 11:30 a.m., and was upbeat and informative.

Mr. Rusche divided his briefing into status reports on:

- (1) specific areas in the HLW program, and
- (2) general management.

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HLW PROGRAM AREAS

First Repository

National Academy of Science (NAS) Waste Management Panel had met twice with DOE, and a final meeting is scheduled for 3/29/86. The Final EAs, nominations, and recommendations are expected by the end of 4/86. The President will have 60 days to review the recommendations. Rusche hopes to have the 3 sites designated for site characterization this summer, and then will begin even more "intense" interaction with NRC staff. The SCPs are expected by the beginning of 1987.

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(Return to WM, 623-SS)

Crystalline Repository Project (CRP)

Under the NWPA, DOE has no authorization to proceed with 2nd repository site characterization. The Area Recommendation Report (ARR), issued in January 1986, designated 12 sites in 7 states. Rusche commented at length about the surprisingly intense and negative reaction from these 2nd repository states, especially since DOE had provided for more state participation in this selection process than for the 1st repository. DOE was currently holding briefings in the states, some of which attracted up to 2000 people and lasted until 2:30 a.m. The ARR comments close in April, 1986. Bernthal initiated discussion concerning which was more important: host rock type or geographic setting. Rusche emphasized that host rock volume, strength, and isolation capability are the main repository selection factors. He also emphasized that the CRP and the 2nd repository are not the same: CRP is site identification only, and the 2nd repository will be selected from the CRP sites or other sites. Asselstine initiated a short discussion on financial assistance to 2nd repository states and Indian tribes.

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Monitored Retrievable Storage (MRS)

Rusche stated that NRC had effectively provided comments on the proposal, and that the report is prepared and ready to go to Congress. Secretary Herrington had commented favorably on the timely interaction between DOE and NRC in this endeavor. DOE has filed an appeal to the Tennessee injunction in the 6th Circuit Court of Appeals. Palladino: "What's next?". Rusche: "We wait." Bernthal commented on the fact that an Executive Branch Agency is being prevented from issuing a document by a state. Rusche said that people have offered to take it to the Hill, as long as their identities were not revealed.

Transportation

Rusche mentioned two issues: (1) all waste shipments will be in NRC-certified casks, and (2) that NRC/DOE staff are working on the rule related to transportation.

GENERAL MANAGEMENT

With the issuance of the EAs, nominations and recommendations, the issuance of the SCPs, and the resolution of the MRS situation all supposedly occurring within the next calendar year, Rusche emphasized that this time next year "we will clearly have to look at the issue of schedules."

He then mentioned the Licensing Support System status, and was pleased about NRC/DOE interactions in this area. There was much discussion on various aspects of the LSS and the need for data management. Rusche also mentioned that he had met with the ACRS in early February, and found them to be very interested and responsive. However, he said that he had invited the ACRS to be involved in the "bi-annual SCP review".(?)

He will also be meeting with the ASLB within the next few weeks, and commented on his and Asselstine's meeting with NARUC on 2/24/86, stating that they will be a positive force. Rusche wound up the briefing by saying that the DOE Annual Report is at the printer, the Fee Adequacy report will be out soon, that there is continuing progress in QA, and he looks forward to more DOE/NRC staff interaction as the HLW program progresses toward permanent waste disposal.

Original Signed By:

Alma Hale, Program Assistant (HLW)
Integration Section, WMPC

cc: R.E.Browning

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