See packet 1 for enclosure

WM Record File 115

WM Project
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Washington, D.C. 20545

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'84 MAY 22 P3:26

MAY 21 1984

Mr. Robert W. Browning
Director, Division of Waste Management
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Browning:

A transcript was made of the April 11, 1984, meeting between you and I and our staffs on the Department of Energy's (DOE) Mission Plan for the Civilian Radioactive Waste Management Program. A copy is enclosed for your files.

We also presented at the meeting several program approaches being considered by DOE for repository construction. The Nuclear Waste Policy Act requires that the DOE accept high-level radioactive waste or spent fuel by January 1998. The Act also requires implementation of procedures and the collection of technical data to support both site characterization and site selection decisions as well as engineering design efforts. The Nuclear Regulatory Commission has defined its procedural and technical requirements necessary to support a licensing decision. We found that these diverse requirements would prevent us from meeting the January 1998 milestone unless we developed innovative program approaches to the licensing and construction activities. The DOE developed several alternatives that could be pursued. These alternatives are documented in the April 1984 draft DOE Mission Plan. After evaluating the different approaches, the DOE selected for the draft Mission Plan a Phased Repository Construction approach as its reference schedule (Enclosure 1). This approach is consistent with the Department's strategy of ensuring the quality and sufficiency of information used to support program decisions while still adhering to the schedular requirements of the Act that the Department begin accepting waste for disposal by January 31, 1998.

The DOE has found that the waste handling building is on the critical path for each of the first repository construction projects. Utilizing the Phased Repository Construction approach will remove the waste handling facility from the critical path of the repository construction sequence and will permit an initial limited repository capacity of 400 MTHM per year in the first phase, beginning in 1998. The second phase, beginning 3 to 4 years later, will be capable of receiving 3000 MTHM per year.

Following final repository site designation, DOE will submit an application for full construction authorization. In its application for a construction authorization the DOE plans to submit only a single application to the Commission which would cover the design for both stages of the repository. That design will include two waste handling facilities of which the first will

have a smaller throughput capacity and will be capable of accommodating only a limited number of different forms of high-level waste or spent fuel. The second facility will have full repository waste receipt and handling capability. This phased construction will follow procedurally the licensing process essentially as presently described in 10 CFR 60. With respect to the application for a license to receive and emplace waste, Part 60.41 requires that ". . . construction of the geologic repository operations area has been substantially completed in conformity with the application as amended." For the purposes of Part 60.41, construction may be deemed to be substantially complete if ". . . the construction of (1) surface and interconnecting structures, systems, and components, and (2) any underground storage space required for initial operation are substantially complete" (emphasis added). Based on this interpretation of construction, the DOE has concluded that the first phase waste handling facility would meet the requirement that facilities for initial operation be substantially complete.

The field projects are presently conducting engineering feasibility studies based on the Phased Repository Construction approach. The studies will produce site-specific design concepts using this approach. We anticipate completion of these studies in the July 1984 time frame. We plan to discuss these studies with you during their development and solicit comments you may have on the Phased Repository Construction Approach. We will contact you shortly to arrange for your participation.

Sincerely,

J. W. Bennett

J. William Bennett
Acting Associate Director
Office of Geologic Repository
Deployment
Office of Civilian Radioactive
Waste Management

Enclosures

FIGURE 3-A-5
REFERENCE SCHEDULE FOR FIRST GEOLOGIC REPOSITORY