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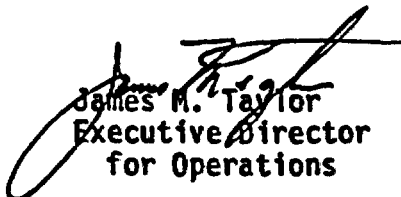
MEMORANDUM FOR: The Chairman
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
Commissioner de Planque

FROM: James M. Taylor
Executive Director
for Operations

SUBJECT: RECEIPT OF NEW DRAFT OF ENVIRONMENTAL PROTECTION
AGENCY'S HIGH-LEVEL WASTE STANDARDS

On February 4-6, 1992, the staff (including two Commissioners' assistants and representatives from the Advisory Committee on Nuclear Waste (ACNW) and its staff) attended a workshop sponsored by the Electric Power Research Institute (EPRI). The purpose of the workshop was to pursue a consensus within the technical community on the major issues associated with the high-level waste (HLW) standards being developed by Environmental Protection Agency (EPA). At the workshop, EPA released a new, unnumbered draft of its standards and of the Supplementary Information describing the standards. Copies of these documents have been provided to the Commissioners' assistants.

Enclosed, for the Commission's information, is the staff's preliminary evaluation of the "Workshop Draft" of EPA's standards, including EPA's responses to NRC comments on Working Draft No. 3. The third page of the enclosure is a schedule, developed by EPRI, for providing comments to EPA consistent with EPA's intent to publish proposed standards in the Federal Register in May or June of this year. The fourth page is the staff's schedule for developing its comments, coordinating those comments with ACNW, and transmitting comments to EPA by the end of March.


James M. Taylor
Executive Director
for Operations

Enclosure: Workshop Notes

cc: SECY
OGC

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NOTES ON WORKSHOP DISCUSSING EPA HLW STANDARDS

- Attended EPRI-sponsored workshop on EPA/HLW Standard 2/4-6/92
- At the beginning of meeting, EPA distributed a revised draft Statement of Considerations and proposed rule

Significant Additions From EPA Working Draft 3

- A collective dose alternative has been added to containment requirements along with a requirement to project releases from undisturbed performance for up to 100,000 years. EPA proposes to prohibit all forms of truncation when projecting collective doses.
- Individual and groundwater protection requirements have been extended to 10,000 years. A requirement to project individual protection for 100,000 years has also been added.
- Groundwater classification schedule from 1985 standards was deleted in Draft 3 and exposure levels from Safe Drinking Water Act (SDWA) adopted in this draft.
- New sections have been added to Appendix C "Guidance for Implementation" dealing with defining a static biosphere and explaining what reasonable expectation is not.

EPA Attention to Draft 3 Comments

General:

- Several major NRC comments not addressed, especially the recommendation to base EPA's standards on comparisons with other standards and risks.*
- Some new features of the standards (e.g., prohibition of truncation for collective dose estimates) seem to deal with implementation of the standards.

Specific:

- Few changes to assurance requirements - more direction on implementation added in Standard and appendices.
- Uncertain of extent to which EPA will enhance analyses of hypothetical repositories.
- Added collective dose alternative.
- Incorporated 3-bucket, but with EPA's wording. EPA established quantitative rather than qualitative boundary definition.
- No addition of likelihood definition.
- 191.03 & 191.14 maximum exposure to individuals EPA adopted 25 mrem.
- Assurance requirement for qualitative evaluation over 100,000 years moved to containment and individual protection - NRC said to address site comparisons under NEPA.
- 10,000 year duration for individual and groundwater protection - NRC said no basis for either time period.
- 14C - No change - EPA says no one has proved a problem.

*EPA has informally provided the staff with draft contractor reports to be used as background for EPA's technical support for the standards. The staff will informally review these reports and notify EPA of any technical deficiencies identified.

General Schedule for Commenting on EPA Standards

- 2/28 Preliminary draft individual comments
- 3/3 Meet in Tucson*
- 3/31 Agency Comments
- 4/12 Workshop - Meet in Las Vegas*
- 6/15 ANPR or NPR**
- 9/15 End Comment Period

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- * NRC staff will not attend the Tucson meeting. Any participation at the Las Vegas meeting will be only as an observer.
 - ** EPA indicated firm intention to publish proposed rule in May/June timeframe. DOE prefers another "Working Draft" to provide another opportunity for review and comment.

WORKSHOP NOTES

- 4 -

Staff Schedule to Get Comments to EPA by 3/31

- 2/14 Draft Comments on Standard (negative consent)
- 2/18 Division review - Transmit to ACNW
- 2/21 ACNW meeting
- 3/6 NMSS, OGC, RES concurrence
- 3/13 EDO forwards comments to the Commission
- 3/16 Commission Assistants' Briefing
- 3/31 Transmit comments to EPA (unless Commission objects)