

June 9, 2004

Dr. B. John Garrick, Chairman
Advisory Committee on Nuclear Waste
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

SUBJECT: RESPONSE TO THE ADVISORY COMMITTEE ON NUCLEAR WASTE LETTER
DATED MAY 3, 2004, ON THE "RISK INSIGHTS BASELINE REPORT"

Dear Dr. Garrick:

I am responding to your letter, dated May 3, 2004, that provided comments from the Advisory Committee on Nuclear Waste (ACNW). These comments regard the "Risk Insights Baseline Report" which is a result of the U.S. Nuclear Regulatory Commission (NRC) High-Level Waste (HLW) program's risk insights initiative for the potential HLW repository at Yucca Mountain, Nevada. The NRC staff appreciated the opportunity to update the ACNW on the status of the "Risk Insights Baseline Report." I am pleased to inform you that the staff has since completed the report and made it available to the public. The report and the cover memorandum are available, in a package, through the Agencywide Documents Access and Management System (ADAMS), with accession number ML040560285, and through the NRC website. Additionally, NRC staff has provided a copy of the publicly available report to the ACNW.

In your letter, ACNW discussed the importance of implementing risk insights into issue resolution prioritization. The NRC staff agrees with ACNW that implementing the risk insights into issue resolution activities is consistent with Commission policy, and that it is appropriate to focus staff resources on those areas that are estimated to be most important for repository performance. The staff is using the "Risk Insights Baseline Report" to help prioritize pre-licensing activities, focus staff resources, and support risk-informed project management and decision-making in the HLW program.

The NRC staff is currently using the "Risk Insights Baseline Report" to support issue resolution interactions with the U.S. Department of Energy (DOE). Specifically, the staff is presently reviewing numerous technical basis documents and agreement responses that DOE has submitted. The NRC staff is using the "Risk Insights Baseline Report" to identify and focus attention on the more important issues within each submittal, including the agreements as they relate to the more significant issues. The staff is using the "Risk Insights Baseline Report" to help it both consider the acceptability of DOE's submittals and identify any additional information needed from DOE. NRC continues to expect DOE to address all agreements before the submittal of a potential license application.

The NRC staff also plans to incorporate the "Risk Insights Baseline Report" into the update of NUREG-1762, the "Integrated Issue Resolution Status Report." NUREG-1762 provides background information on the status of pre-licensing interactions between NRC staff and DOE.

For each model abstraction described in NUREG-1762, the staff is using the "Risk Insights Baseline Report" to document its current understanding of the estimated importance of the model abstraction to repository performance.

Finally, NRC staff agrees with ACNW that the "Risk Insights Baseline Report," together with NUREG-1804, the "Yucca Mountain Review Plan," and NUREG-1762, provide a solid foundation to conduct a risk-informed review of a potential DOE license application for a Yucca Mountain repository. The "Risk Insights Baseline Report" will help to focus the staff's review, help determine the depth of the staff's review in particular areas, and help develop requests for any additional information needed from DOE.

In conclusion, NRC staff appreciates the ACNW's continued interest in the progress of issue resolution activities and the HLW program's risk insights initiative. We look forward to your involvement in our future activities.

Sincerely,

/RA/

Luis A. Reyes
Executive Director
for Operations

cc: Chairman Diaz
Commissioner McGaffigan
Commissioner Merrifield
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*See Previous Concurrence

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