

United States Government

Department of Energy

memorandum

DATE: MAY 24 1994

REPLY TO
ATTN OF: RW-12

SUBJECT: Analysis of OCRWM Action Items from the LSS Advisory Review Panel Meeting of April 14-15, 1994

TO: Robert Nelson, RW-20

In our capacity as representatives to the LSS Advisory Review Panel, we are providing the following information to RW-20 as the organization responsible for implementation of the LSS. The following analysis details the three major action items for which OCRWM has the lead. A copy of the Official Transcript of Proceedings of the LSSARP Meeting, April 14 & 15, 1994, is included as an enclosure with this memorandum. Below is a short background leading up to this meeting in order to provide a frame of reference.

BACKGROUND

The current verbiage in 10 CFR 2, Subpart J states that DOE will have responsibility for design and implementation of the Licensing Support System (LSS), and that NRC will then take over the system and do the long term maintenance and operation of the system. Approximately two years ago, OMB notified DOE and NRC that either DOE or NRC should have complete responsibility for the system. That guidance was based on the impasse over funding for the NRC maintenance and operation phase as a pass-through from DOE's overall draw against the Nuclear Waste Fund. Under additional impetus from NRC's Chairman Ivan Selin to identify areas for cost savings, a joint NRC/DOE technical task force was created to determine if DOE technologies (InfoSTREAMS) could be reused, if the reuse would result in substantive savings, and, to determine what role the Office of the LSS Administrator (OLSSA) would play if DOE had life-cycle responsibility for operating the system. It was found that reuse of InfoSTREAMS was feasible, that there would be some cost savings and some cost reallocations (from LSS line item budgets into OCRWM's InfoSTREAMS line items to do document capturing, etc.) and that the OLSSA could provide oversight via an audit program.

The conclusions and recommendations were presented by NRC staff to the Commission, and the Commission's consensus was to present the revised scenario to the LSS ARP. The scenario was presented in an October, 1993 meeting of the LSS ARP. Major questions were raised at the October LSS ARP, which resulted in the scheduling of this most recent meeting. In the interim, the OLSSA crafted an enhanced audit program, circulated it prior to the meeting, and then presented it at this most recent meeting.

The key elements of the new audit plan were: (1) establishing of mutually agreed upon "LSS Participant Commitments" as the foundation for the scope and content of audits, (2) increased levels of on-site involvement during

the operational phases via scheduled and unscheduled audits, (3) defined involvement in the LSS development process via audit, including LSS ARP involvement and (4) formalization via a Memorandum of Understanding between DOE and NRC. Most of these strategies were already inherent in 10 CFR 2's statements of responsibilities, or have been used already as part of the LSS prototype effort 1988-1990. A copy of their audit program outline and the overheads used in the presentation at the April LSS ARP are attached.

ISSUES RAISED AT THE LSS ARP MEETING

Oversight and Control of LSS if it is Maintained and Operated by DOE

Nevada's Assistant Attorney General Swainston noted that any proposed change in 10 CFR 2, Subpart J which did not provide management control to the LSS Administrator would be unacceptable and that the State of Nevada would take the local governments and the environmental coalition with them in leaving the LSS ARP and would immediately file suit. He represented that cost savings were of no particular importance to the State and were not persuasive in asking the State to give away rights they had bargained for during the negotiated rulemaking. Staff of the OLSSA pondered over the Nevada position during lunch, and suggested to the DOE representatives that NRC's LSS Administrator be named as a Contracting Officer's Representative (COR) for LSS activities under whatever mechanism DOE eventually selects to implement the work. When the afternoon session reconvened, the LSS Administrator proposed the solution, contingent on DOE confirming that an NRC employee could be the COR on a DOE contract. This concept was acceptable to Nevada and to the other parties. (Mr. Richard Minning, RW-53, subsequently indicated that there was precedent and that DOE procurement should be solicited for a confirming opinion.) It is our recommendation that this approach be endorsed by DOE, since it is responsive to OMB direction and acceptable to the parties having the greatest interest in the objectivity and control of the LSS operations by NRC.

ACTION: RW-20 should craft a letter to the Chairman, LSS ARP confirming that the Administrator can be made a COR on our contractual vehicles for implementing the LSS. This letter should reflect GC and DOE Procurement's concurrence. Please copy us on your response to NRC.

Establishment of an ADP Technical Working Group within the LSS Advisory Review Panel

Inherent in the proposal to reuse InfoSTREAMS technologies as a foundation for the LSS is the question of evaluating InfoSTREAMS capabilities viz. LSS requirements. The initial technical discussions (1992-1993) between DOE and NRC spoke only to whether or not it was feasible, and NRC is now asking the LSS ARP for a decision as to whether that strategy shall be followed. OCRWM has a vested interest in getting an answer to this question because a number of decisions on architecture and products have been delayed pending the determination that InfoSTREAMS will/will not be reused.

Before the parties to the LSS ARP can agree to re-use of InfoSTREAMS technologies, they need to know specific details about the status of existing hardware and software, operating systems, performance parameters, telecommunications performance, and a host of other technical issues. Access to this information was requested by the representatives from Clark County.

It is consistent with 10 CFR 2, Subpart J requirements that "The LSS Advisory Review Panel shall provide advice to -- (i) DOE on the fundamental issues of the design and development of the computer system necessary to implement the Licensing Support System. . ." and that "DOE shall implement consensus advice from the LSS Advisory Review Panel . . . that is consistent with the requirements of this subpart". The Chairman of the LSS Advisory Panel directed that this ADP Working Group be established, and that additional information be provided to him on which parties want to have representation. The State of Nevada and the NRC did participate in the LSS Prototype activities in 1990, sat in on the final design phases, and were stakeholder contributors to the LSS System Level Requirements Document (SAIC, November 20, 1990). It is our recommendation that multi-day working sessions be established between the LSS ARP's ADP subcommittee and the TRW engineering teams who have designed InfoSTREAMS and who had made the preliminary studies that determined that some of the InfoSTREAMS technologies were re-usable.

ACTIONS:- (1) DOE will provide copies of the LSS System Level Requirements Document to Mr. Dennis Bechtel, per his request. (This material was provided to him previously, but they may have been misplaced in subsequent office moves and had not been made available to their new systems staff.) Copies of both the LSS System Level Requirements Document and the InfoSTREAMS Project System Requirements Document are transmitted as Enclosures to this memorandum. Please advise if you will require our assistance in responding to this action. (2) DOE should propose the venue for the exchange of information and documentation on InfoSTREAMS designs that have been in place for most of the last two years. Please copy us on your response to NRC.

Availability of LSS for Use in MPC Certification Activities

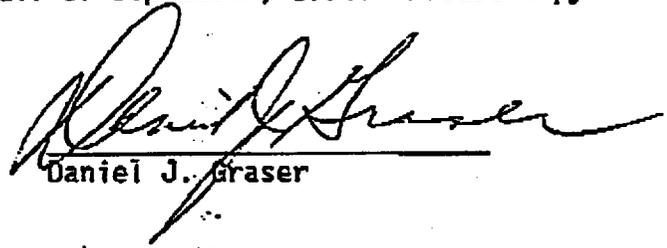
Mal Murphy, representing Nye County, submitted a request that the LSS ARP discuss the feasibility of having the LSS available, at least on a pilot project basis, during any MPC certification proceedings. In the course of discussions, it was made clear by Mr. Murphy that this was not being viewed as a linkage between establishing the LSS and the start of the repository licensing process by nature of the MPC's engineered barrier system function. Demonstration capability of the key technologies needed for LSS is already planned for the next six-month phase of InfoSTREAMS, and, this had been briefed to the LSS ARP earlier in the session. Mr. Murphy's suggestion is that the demonstration capabilities available by the start of FY 1995 be used in the MPC certification effort. This has the advantage of identifying problems with the LSS designs prior to their use for repository

licensing activities. We recommend that Mr. Murphy's proposal be given serious and timely consideration in the overall strategy of implementing the LSS. (It has been noted by Ron Milner, RW-40, that the contract with General Atomics is for a certified cask, and that GA will be submitting the request for certification rather than DOE.) It has the potential for greatly reducing risk in the repository licensing process and it will add greatly to the other parties' confidence in DOE's commitment and ability to implement the LSS. The panel is requesting that DOE provide a study on 1) the feasibility of using a demonstration system as a prototype during the Cask certification activities, 2) a general implementation plan, 3) schedule, 4) potential cost, 5) budget support to have such a system in place by 1996. (See pages 198-211 of the transcript).

ACTIONS: (1) DOE will assess the feasibility of using the LSS demonstration capabilities for MPC certification activities. (2) DOE is to provide the Chairman of the LSS ARP with a plan on how an operational pilot LSS may be effected: what it will take in terms of financial and contractor resources, schedules, the involvement of the ARP in the process, etc. This plan should be prepared and delivered prior to the next LSS ARP meeting, currently being planned for the first half of September, 1994. Please copy us on your response to NRC.



Corinne Macaluso



Daniel J. Graser

Enclosures:

1. Official Transcript of Proceedings, LSSARP Meeting (April 14 & 15, 1994)
2. LSS System Level Requirements Document
3. InfoSTREAMS Project System Requirements Document

cc:

- S. Rousso, RW-10 (w/o attachments)
- L. Desell, RW-331 (w/o attachments)
- J. Roberts, RW-33 (w/o attachments)
- D. Shelor, RW-30 (w/o attachments)
- R. Minning, RW-53 (w/o attachments)
- C. Hanlon, RW-20
- A. Gil, RW-20
- M. Bishop, RW-20

P.S. It is my understanding that plans are being made to have Steve Broun named as DOE's representative to the LSS ARP.

Dan G.