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Attachment 3

MEMORANDUM

November 1, 1993

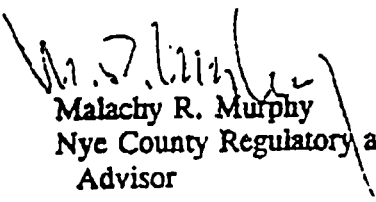
TO: Members, LSSARP

FROM: Malachy R. Murphy, Nye County Regulatory and Licensing Advisor

RE: Suggested Memorandum

As you recall, at the conclusion of the LSSARP meeting in Las Vegas, I agreed to draft and circulate a proposed memorandum to Chairman Selin reporting on the identified concerns with ~~alternative number 3~~, and other problems which were discussed at the meeting. Such a draft is enclosed. I apologize for not getting it out sooner, but the press of business (primarily this program) has kept me away from the office most of the month of October.

I would suggest that you submit your comments directly to John Hoyle. I have no pride of authorship so please feel free to be as liberal with your criticism as you want.


Malachy R. Murphy
Nye County Regulatory and Licensing
Advisor

Enclosure

cc: Les. W. Bradshaw
Phillip A. Niedzielski-Eichner
Lloyd Levy

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MEMORANDUM

Date

TO: Chairman Selin

FROM: John C. Hoyle, Chairman, Licensing Support System Advisory Review Panel

RE: Licensing Support System Program and Budget Responsibilities

The Licensing Support System Advisory Review Panel met in Las Vegas, Nevada, on October 6-7, 1993. Much of the discussion at that meeting focused on alternative number 3, which was identified as the recommended approach toward developing, funding, and implementing the Licensing Support System identified in SECY-93-107. It is the purpose of this memorandum to report to you on those discussions, and to summarize objections to alternative number 3, and drawbacks to that approach, identified by members of the LSSARP.

Alternative number 3 can generally be described as DOE's developing and operating the LSS as part of INFOTREAMS, subject only to compliance and audit oversight by the LSS Administrator.

Most members of the LSSARP are not prepared to agree to DOE control of the LSS. The feeling was expressed quite strongly that the original LSS rule, including NRC control of the LSS, was a product of negotiated compromises in which all parties gave up something in return for other benefits. Most members of the LSSARP expressed the view that they had been shown no reason why they should now agree to retreat from that compromise and accept something

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(DOE control of the LSS) which was totally unacceptable during the course of the original negotiations.

There was a general feeling expressed at the meeting, I believe, that DOE's INFOSTREAMS may provide an appropriate foundation upon which to begin developing the LSS, subject to the resolution of the control issue discussed above. It was pointed out, however, that that system at the present time falls far short of meeting the requirements of the LSS rule. DOE is currently planning to capture, in INFOSTREAMS, only OCRWM documents, without looking outside of that office. By doing so they will miss a large number of documents from the defense waste cleanup side of the Department, many of which may be extremely relevant in licensing. Additionally, no plans are presently being made to capture documents from the Secretary's office, and other offices within DOE, which might also have some relevance to the repository program. Thus, while INFOSTREAMS may be a useful vehicle around which to begin to build the LSS, much further work would need to be done, and its scope significantly expanded, in order for DOE to deliver a completely functional LSS to the parties prior to the commencement of any repository licensing proceeding.

At the conclusion of the meeting, the consensus was reached that at least one further meeting of the LSSARP would be needed in order to attempt to reach some resolution of the control question, preferably in the near future because of time pressures within the DOE office responsible for the development of INFOSTREAMS. Unless and until that can be achieved, however, it is clear that the LSSARP will not, as a body, endorse alternative number 3 as the preferred approach to developing and implementing the LSS. We are tentatively planning to hold

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such a meeting, probably somewhere in the State of Nevada, in January or early February of 1994.