



UNITED STATES
NUCLEAR REGULATORY COMMISSION
ADVISORY COMMITTEE ON NUCLEAR WASTE
WASHINGTON, D.C. 20555

March 26, 1991

Mr. Robert M. Bernero, Director
Office of Nuclear Material
Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Bernero:

SUBJECT: STAFF TECHNICAL POSITION ON REGULATORY CONSIDERATIONS
IN THE DESIGN AND CONSTRUCTION OF THE EXPLORATORY SHAFT
FACILITY

During the 29th meeting of the Advisory Committee on Nuclear Waste (ACNW), March 20-22, 1991, the staff of the Office of Nuclear Material Safety and Safeguards (NMSS) presented its revised Staff Technical Position (STP) on Regulatory Considerations in the Design and Construction of the Exploratory Shaft Facility (ESF). We find this revised STP greatly improved. We recommend that it be issued after incorporation of additional minor revisions discussed by the ACNW with the NMSS staff.

We believe the STP needs a clear introductory statement that the singular purpose of the ESF is to facilitate the characterization of the proposed high-level waste repository. However, the STP should then focus on the requirements as stated in 10 CFR 60.15(c)(1), "Investigations to obtain the required information [on site characterization] shall be conducted in such a manner as to limit adverse effects on the long-term performance of the geologic repository to the extent practical." We also recommend that the staff issue a clarification, either in this STP or as a staff position, of the phrase "to the extent practical." Furthermore, we urge that the staff include an additional statement that the principal focus of this STP is the need for the U.S. Department of Energy (DOE) to demonstrate that an approach has been used to design and construct the ESF that will avoid adverse impacts on the site should the ESF be collocated with the geologic repository operations area.

Several other revisions suggested during our discussions with the NMSS staff include removal of wording in the STP that could be considered as adversarial, modification of the flow chart presented in Figure 1, and expansion of item (7) (Establishment of Ranges of Site Parameters) of section 3. A copy of the transcript of this portion of our meeting is enclosed.

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Finally, as with most of the technical positions that the staff has presented to the ACNW, it is difficult to ascertain how this STP fits into the overall plan for providing guidance to DOE on site characterization. We request that the staff brief the ACNW on what other technical positions are planned and how they will be integrated.

Sincerely,



Dade W. Moeller
Chairman

Reference:

U.S. Nuclear Regulatory Commission, "Staff Technical Position on Regulatory Considerations in the Design and Construction of the Exploratory Shaft Facility," February 1991, transmitted by memorandum from B. J. Youngblood, NMSS, dated February 25, 1991

Enclosure:

*Transcript of 29th ACNW Meeting,
March 20, 1991, pp. 9-125

* See NUDOCS ANO-9103270366