



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

July 13, 1994

The Honorable Ivan Selin
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Selin:

SUBJECT: DRAFT NOTICE OF PROPOSED RULEMAKING ON DESIGN BASIS
EVENTS FOR THE GEOLOGIC REPOSITORY OPERATIONS AREA

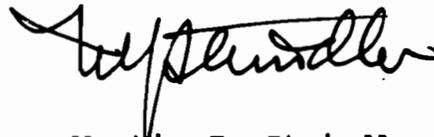
In accord with the staff requirements memorandum (SRM) of February 3, 1994, the ACNW reviewed the subject document and heard presentations by the NRC staff on this topic at its 65th meeting on June 29-30, 1994. The Committee concludes that the draft notice of proposed rulemaking for revisions to 10 CFR Part 60 is satisfactory, and the Committee is in general agreement with the text, the numerical standards, and the definitions. However, the Committee has the following concerns with specific statements and with the compatibility of the definitions with current risk and safety assessment methods. The Committee has discussed these concerns with appropriate staff managers during its 65th meeting:

1. The Committee believes that reference to "maximum potential impacts" in the design basis event definition is not appropriate. The use of "maximum potential impacts" implies upper allowable or existing limits that do not exist and introduces conceptual difficulties akin to those encountered in the past regarding maximum credible accidents in the reactor field. The Committee suggests the staff use a phrase such as "serious impacts" to describe the consequences of events for which design is to be a mitigating factor.
2. The Committee strongly recommends that the Office of Nuclear Regulatory Research carefully review the statements in the rulemaking, and particularly the definitions. We especially believe that a review of the definitions by the PRA staff would provide additional assurance that the rule is compatible with the increasing use of risk-based arguments employed to make more useful the qualifiers such as "unlikely," "moderately," "frequently," and "credible."
3. The Committee notes that while facility design is used to limit the dose to the public from a design basis event, no such provision is invoked for worker protection for a Category 2 design basis event. It appears that the NRC staff intends

July 13, 1994

to use administrative provisions to mitigate the consequences to workers of design basis events. The Committee is concerned that this appears to allow open-ended risk for workers that nevertheless could, in part, be mitigated by additional facility design considerations. The Committee recommends that NRC staff examine regulatory procedures that could increase worker protection.

Sincerely,



Martin J. Steindler
Chairman

Reference:

Memorandum dated February 3, 1994, to James M. Taylor, EDO, from Samuel J. Chilk, SECY, Subject: SECY-92-408 - Proposed Amendments, to 10 CFR Part 60, on Disposal of High-Level Radioactive Wastes in Geologic Repositories - Design Basis Events for the Geologic Repository Operations Area