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(44 (R 70408))

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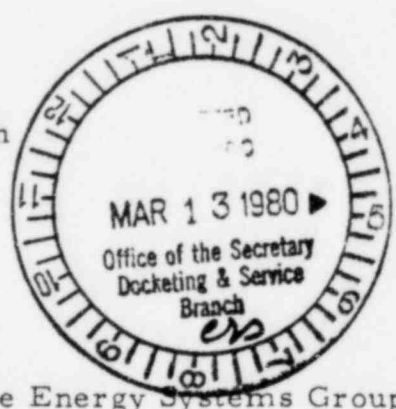
In reply refer to 80ESG-1978

Secretary of the Nuclear  
Regulatory Commission  
Washington, D. C. 20555

Attention: Docketing and Service Branch

Dear Sirs:

Subject: Comments on Proposed  
Rule 10 CFR 60



The Atomics International Division of the Energy Systems Group of Rockwell International Corporation is pleased at the opportunity to comment on the proposed rule for Disposal of High-Level Radioactive Wastes in Geologic Repositories as published in the Federal Register, Volume 44, Number 236, pages 70408-70421 on Thursday, December 6, 1979. Our comments are of a general nature; however, if any or all are adopted, specific changes to 10 CFR 60 will be required. Our comments are divided into three categories: (1) Repositories; (2) Decision Making; and (3) Waste Forms.

1. Repositories

We would like to express our concern that the proposed rule-making appears to require that the "best" available site be selected. This is accomplished by requiring full site characterization of a number of sites and geologic media (minimum of three, but an implication of many more than three) before selecting any site. We believe that technical criteria should be established to limit any release to the biosphere to less than is now legally acceptable under 10 CFR 20. Then, if a site and its proposed waste form can be shown to meet the technical requirements, it should be deemed acceptable as a repository. To continue to search for the "best" will be fruitless in this ever improving technological world we live in.

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Acknowledged by card: 3-14-80

One of our major concerns is that by using a "best" requirement, any obstructionist organization can effectively block progress in constructing a safe repository.

Another concern of ours is the requirement that during construction, the repository is evaluated for conformance with the design. It is our understanding that mines (and in essence a geologic repository is a mine) are usually "developed" and cannot be "designed" in detail without extensive exploratory drilling. We believe that this exploratory drilling should be done during the site characterization phase and in sufficient depth to permit the design of the mine. It should be recognized that design changes will probably be required as the mine is developed, as the exploratory drilling and mining cannot cover all contingencies.

2. Decision Making

We also believe that the proposed rule-making can lead to long delays before decisions are made. For example, on page 70409, second column, the fourth paragraph ends with "without undue schedule delays." We suggest that it might be advisable to specify a time limit for the various parties (state and public) to respond so that the hearings proceed expeditiously.

3. Waste Forms

The proposed rule also requires that the Department address and compare alternative waste forms. We concur that DOE should continue to develop better and better waste forms; however, our concern here is also that the "best" will be required and that the "best" form will always be something not quite developed. We believe that, as with site selection, specific technical criteria should be established to limit the release from the waste form. Once a waste form is demonstrated to meet these technical requirements, it should be certified for burial in a repository.



80ESG-1978

February 28, 1980

Page 3

We hope that our comments will be of value to you in developing this most difficult section of the Code of Federal Regulations.

Very truly yours,

D. G. Mason  
Programs Director  
Fuel and Waste Management