

# AMERICAN NUCLEAR SOCIETY

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USNRC

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FLEX 254635

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**PRESIDENT**

L. Manning Muntzing  
Doub and Muntzing, Chartered  
1875 Eye Street, NW - Suite 775  
Washington, DC 20006 USA

November 1, 1982

*see  
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- The Hon. D. J. Palladino
- The Hon. James K. Asselstine
- The Hon. Thomas M. Roberts
- The Hon. John F. Ahearne
- The Hon. Victor Gilinsky

DOCKET NUMBER **PR-60**  
PROPOSED RULE  
**(46 FR 35280)**

I understand that you will have Part 60 Regulations under consideration in the near future.

Therefore, enclosed is a recent letter that I sent to Mr. William J. Dircks.

Very sincerely,

*L. Manning Muntzing/EMT*

L. Manning Muntzing

LMM:evm  
Enclosure

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DOCKETED  
USNRC  
Telex 254635

PRESIDENT  
L. Manning Muntzing  
Douglas Muntzing, Chairman  
1875 Eye Street, NW - Suite 775  
Washington, DC 20006 USA

October 5, 1982 NOV 16 P1:00

OFFICE OF SECRETARY  
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Mr. William J. Dircks  
Executive Director  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Dear Mr. Dircks:

Representatives of the American Nuclear Society met with you, Victor Stello, John Davis and other NRC staff members on September 10, 1982. The purpose of the meeting was to present ANS's initial reaction, from a technical perspective, to the July 29, 1982 version of 10CFR Part 60 (Technical Criteria for Geologic Repositories for High-Level Radioactive Waste), including NRC staff Recommendations and the technical Rationale Document. At the meeting, ANS reiterated its general position on proposed 10CFR Part 60 to NRC on October 14, 1981:

"ANS strongly recommends that all numerical subsystem performance requirements be deleted in favor of more general statements permitting system trade-offs to achieve the desired overall system or repository performance". And,

"It is our concerted view that overly restrictive and specific performance standards are not necessary, and that such standards in regulation form are likely to add to the overall cost of the waste disposal without achieving any degree of benefit to the public health and safety. Instead, using current engineering practices, a carefully sited, engineered, and designed repository coupled with effective confirmation and design validation can assure compliance with a single, overall performance criterion for the repository as a whole system. The application of such a single performance standard would not only coincide with the Environmental Protection Agency's recommended approach of the systems concept, but would permit repository designers to optimize the repository as a system of both natural and engineered barriers for differing site and geologic medium characteristics".

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Additionally, we expressed our concern about NRC staff's rejection of the overall system or repository standard approach (similar with EPA's) which was recommended by ANS and other technical specialists and organizations. There was a broad general technical consensus on this point which seems to have been inadequately considered by the NRC without substantive technical justification.

While ANS had a relatively brief period to review the July 29, 1982, technical Rationale Document prior to the September 10, 1982, meeting, knowledgeable ANS members on this subject are in general agreement that the numerical subsystem performance standards (now "objectives") cited in the proposed regulation have not been technically justified. Further, we believe it will be very difficult, if not impossible, for the NRC to technically justify any variation from these numerical subsystem performance objectives on a "case-by-case" basis with these unmeasurable and technically unjustified values cited in the regulation.

With the preceding in mind, ANS strongly recommends NRC take the following actions before approving 10CFR Part 60:

- o Based on a preponderance of technical community opinion, including ANS, supporting a single, overall repository performance standard, NRC should reconsider the proposed numerical subsystem performance objectives in favor of more generalized design objective statements in the regulation.
- o NRC should submit technical rationale documentation for 10CFR Part 60 to a peer review by the technical community for the adequacy of analytical methodology, parameters, assumptions and conclusions.

Relative to the preceding, ANS has taken the following steps:

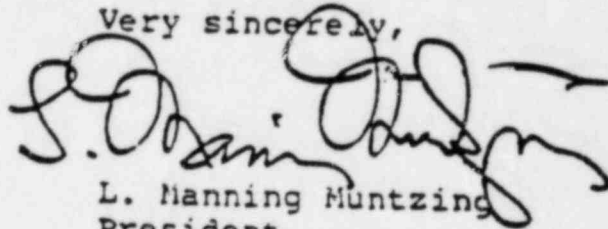
- o A technical paper is being prepared to present ANS and technical community views on the approaches used and material presented in the Rationale Document. This paper is scheduled to be completed and available on November 22, 1982, and would provide the basis for a technical presentation to the NRC staff and Commissioners.

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- o A special peer review session on 10CFR Part 60 is being organized to be held during the ANS Winter Meeting (Nov. 14-18, 1982) in Washington, D. C.

The American Nuclear Society would be pleased to meet with the Commission and the staff to assist in the development of a technically sound regulation.

Very sincerely,



L. Manning Muntzing  
President  
American Nuclear Society

LMM:DB:evm