



Department of Energy
Washington, DC 20585

'APR' 21 1995

Mr. Joseph J. Holonich, Chief
High-Level Waste and Uranium
Recovery Projects Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dear Mr. Holonich:

At the April 11, 1995, U.S. Department of Energy/U.S. Nuclear Regulatory Commission Management Meeting, the Commission discussed a new approach to reviewing the Department's site characterization activities at Yucca Mountain. The Department appreciates the opportunity to hear about the Commission's plans since they will certainly impact the Department's future activities.

As we understand it, the Commission intends to rely heavily on "vertical slice" reviews of the Department's activities. These reviews will focus on specific key technical issues and will result in an evaluation of the sufficiency of data that are available to address that issue. The "vertical slice" reviews will include a number of activities, such as the Commission's staff reviews of the Department's documents, Appendix 7 visits, and in-field verifications. The "vertical slice" approach is intended to promote prompt feedback and guidance from the Commission on key technical issues.

The Department believes that effective pre-licensing consultations with the Commission are essential if both agencies are to fulfill their respective obligations under the Nuclear Waste Policy Act. Accordingly, the Department has been pursuing issue resolution for several years in an attempt to resolve, at a staff level, key technical issues and enable a timely review of a repository license application, should the Yucca Mountain site prove to be suitable. It appears that the Commission's "vertical slice" reviews could effectively complement ongoing and planned issue resolution activities. The Commission stated that their plans for "vertical slice" reviews are still in a formative stage. The Department would like to expand the dialog on "vertical slice" reviews in several areas, including working with the Commission to help identify the appropriate key technical issues for review and establishing an effective mechanism for achieving and documenting their timely resolution.

The Department endorses the Commission's desire to expand existing mechanisms for effective information exchange. While the Department would prefer to emphasize existing mechanisms for such exchanges (including Appendix 7 interactions, the Commission onsite representative office, telephone calls, site visits, and technical exchanges), the Department notes that the Commission may intend to place significant emphasis on in-field verifications

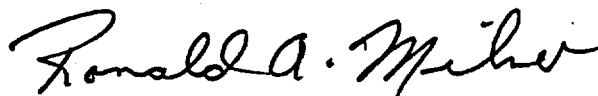
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as a part of "vertical slice" reviews. The Department considers in-field verifications to be a new type of interaction that is not currently addressed by the existing procedural agreement or site-specific agreements. Therefore, prior to conducting any more in-field verifications, the established interactions agreements should be revised to include a comprehensive description of this new type of interaction. If the Commission considers it necessary to pursue additional in-field verifications as a part of pre-licensing interactions, the Department will work with the Commission to expeditiously revise the agreements in a manner that is acceptable to both agencies.

Both the Department and Commission must effectively utilize available resources to meet their obligations under the Nuclear Waste Policy Act. The Department believes that the Commission's new "vertical slice" review approach should be structured to provide an effective means of obtaining prompt Commission guidance and feedback on key technical issues and obtaining resolution of those issues. The Department looks forward to working with the Commission to improve our pre-licensing interactions. Please call me at (202) 586-9694 to discuss these matters further.

Sincerely,

A handwritten signature in black ink, reading "Ronald A. Milner". The signature is fluid and cursive, with the first name "Ronald" being more prominent and the last name "Milner" following in a similar style.

Ronald A. Milner, Director
Office of Program Management and
Integration
Office of Civilian Radioactive
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cc:

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