



UNITED STATES
NUCLEAR REGULATORY COMMISSION
ADVISORY COMMITTEE ON NUCLEAR WASTE
WASHINGTON, D.C. 20555-0001

ACNWS-0101

PDR

November 16, 1998

The Honorable Shirley Ann Jackson
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

SUBJECT: SUMMARY REPORT – 104TH MEETING OF THE ADVISORY COMMITTEE ON
NUCLEAR WASTE, OCTOBER 19-21, 1998, AND OTHER RELATED COMMITTEE
ACTIVITIES

Dear Chairman Jackson:

During its 104th meeting on October 19-21, 1998, at the Longstreet Inn, Stateline 373, Amargosa Valley, Nevada, the Advisory Committee on Nuclear Waste (ACNW) discussed several matters and approved the following memorandum:

- Memorandum to John Greeves, Director, Division of Waste Management, NMSS, from John T. Larkins, Executive Director, ACRS/ACNW. Subject: "Draft Regulatory Guide DG-1078, 'Standard Format and Content of License Termination Plans for Nuclear Power Reactors.'" dated October 27, 1998.

HIGHLIGHTS OF KEY ISSUES CONSIDERED BY THE COMMITTEE

1. Tour of the Yucca Mountain Exploratory Studies Facility

During the morning of October 19, 1998, the Committee, accompanied by its Department of Energy (DOE) hosts and representatives from the State of Nevada, Clark County, and the Nevada Nuclear Waste Task Force, traversed the full length of the Exploratory Studies Facility tunnel. Included in the underground tour was a visit to the recently completed east-west cross drift. During the underground tour, investigatory stops were made at several of the test alcoves and niches. The Committee visited the unsaturated zone transport test at Busted Butte where the three-phase underground testing program was observed and explained. The Committee completed its field trip with a visit to Devils Hole in the

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Ash Meadows National Wildlife Refuge where a National Park Service ranger explained the significance of this ecosystem.

2. ACNW Planning Session

The ACNW held an all-day planning session on October 20, 1998. Participants included ACNW members and staff; a facilitator; and Michael J. Bell, Acting Branch Chief, Performance Assessment and High-Level Waste Integration Branch.

The purpose of this session was to review the Committee's plans for the next year and update the action plan (formerly the strategic plan) for Fiscal Year (FY) 1999. The Committee also conducted a self-assessment of its performance over the past year and examined steps it could take to improve its operational efficiency. The Committee discussed and selected priority issues for review in 1999 and beyond.

Conclusions/Action Items

The ACNW will draft a self-assessment report and an action plan for FY 1999 for review during the December 1998 meeting.

3. Public Comments

This portion of the meeting was held in two segments, the first being an after-dinner evening session on October 20 and the second being a session held the following morning. Two sessions were held to maximize the availability of the Committee to the public. Presentations were made by representatives from the State of Nevada and Nye and Clark Counties. Comments were made by the Executive Director, Nevada Nuclear Waste Task Force, as well as by several local citizens.

Steve Frishman, Nevada Agency for Nuclear Projects, discussed the recent letter from Nevada Governor Miller to NRC Chairman Jackson, in which Governor Miller addressed the staff's recommendation to the Commission for a new rule (10 CFR Part 63) applicable to the proposed high-level waste (HLW) repository at Yucca Mountain.

Nye County representatives discussed their early warning drilling program and their preliminary analyses for an alternative repository design, that is, one that is naturally ventilated. (Nye County is holding a workshop on this latter topic in early December 1998.)

Clark County representatives discussed the possible problems they perceive with DOE's viability assessment document. This representative also expressed concern about the "dismantlement" several years ago of the NRC's quality assurance oversight function and noted that even though it has been buttressed recently, there could still be a significant impact on timely data qualification and traceability.

Comments made by citizens covered many issues, such as the selection of transportation routes; the continued use of technical terms that are somewhat incomprehensible to lay persons; the public's perception that although their concerns may be heard, no action seems to be taken in response to those concerns, thereby calling into question the value of attendance at meetings supposedly held to obtain public interaction; and the significance of water availability and its importance to growth in the southwest. One commenter looked favorably on siting an HLW repository in Nevada and cited the experienced work force in the area that had been developed at the Nevada Test Site.

This session closed after an interchange of observations, comments, and suggestions between the Committee and the audience.

Conclusions/Action Items

The Committee will evaluate the lessons learned from this interaction with the public and will attempt to devise a different approach that will be more mutually responsive for its next scheduled public meeting in the Yucca Mountain vicinity. On the basis of its experience with conducting several public comment sessions during recent meetings, the Committee has determined that holding a meeting in the Amargosa Valley generated the most enthusiasm, openness, and responsiveness.

PROPOSED SCHEDULE FOR THE 105TH ACNW MEETING

The Committee agreed to consider the following issues during its 105th meeting on December 15-17, 1998:

- **Overviews of FY 1999 NRC Staff Programs** – The Committee will hear briefings from the NRC staff on FY 1999 waste-related programs. These overviews will include decommissioning activities, the HWL repository program, and programs planned or underway in the Spent Fuel Projects Office.
- **Viability Assessment** – The Committee will review the DOE's Yucca Mountain viability assessment. This review will include an overview of the Total System Performance Assessment (TSPA) and factors used in abstracting TSPA models, the repository safety strategy, performance allocation, and an overview of the license application plan.
- **Meeting With NRC's Director of the Division of Waste Management, Office of Nuclear Material Safety and Safeguards** – The Committee will meet with the Director of the Division of Waste Management to discuss recent developments within the division, such as developments at the Yucca Mountain project, rules and guidance being developed, available resources, and other items of mutual interest.
- **Preparation for the Next Meeting With the Commission** – The Committee will begin preparations for its next public meeting with the Commission. The Committee will select the topics to be discussed and will assign selected topics to its members.
- **Preparation of ACNW Reports** – The Committee will discuss planned reports, including reports on ACNW self-assessment, a 1999 Action Plan for the ACNW, proposed importance measures for evaluating nuclear waste repository performance, issues related to regulatory guidance and a standard review plan for decommissioning, observations from the recent European technical exchange, and other topics discussed at this and previous meetings.

The Honorable Shirley Ann Jackson

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OTHER RELATED ACTIVITIES OF THE COMMITTEE

No ACNW meeting is scheduled for November 1998 or January 1999. The 105th ACNW meeting is scheduled for December 15-17, 1998. The 106th ACNW meeting is scheduled for February 22-26, 1999.

Sincerely,

A handwritten signature in black ink, appearing to read "B. John Garrick". The signature is stylized with a large initial "B" and a long horizontal stroke extending to the right.

B. John Garrick
Chairman