

**DIVISION OF HIGH-LEVEL WASTE REPOSITORY SAFETY  
SAFETY ISSUE RESOLUTION TEAM  
CHARTER**

**I PURPOSE**

The purpose of the Safety Issue Resolution (SIR) Team is to be a resource in the High-Level Waste (HLW) program for the efficient and effective identification, consideration, resolution, and (as needed) escalation to the High-Level Waste Repository Safety (HLWRS) Management Board of technical matters related to the review of U.S. Department of Energy's (DOE's) potential license application for the Yucca Mountain HLW Repository and to the preparations for that review. The purpose of this document is to charter the SIR Team.

**II SIR TEAM MEMBERSHIP**

Members of the SIR Team include:

From the U.S. Nuclear Regulatory Commission (NRC) management and staff:

- HLWRS Branch Chiefs (Chairpersonship will be determined among the five Branch Chiefs on a quarterly basis)
- Senior Primary Advisors (SPAs) to the Safety Evaluation Report volume teams
- Representative from the Office of General Counsel (OGC) as an advisor

From the Center of Nuclear Waste Regulatory Analyses (CNWRA) management and staff:

- CNWRA Institute Scientist or Institute Engineer
- Assistant Director for Earth Sciences
- Assistant Director for Engineering and Systems Assessment

**III SIR TEAM DECISIONMAKING**

The expectation is that SIR Team decisions are almost always able to be reached by consensus among the 12 members. If a case should ever arise where consensus cannot be reached, a decision is made by a majority vote of the five Branch Chiefs on the issue before the SIR Team. If one or more of the 12 members wishes to attach a written alternative view to the SIR Team's record of decision, such alternative views accompany the record of decision when it is transmitted to the members of the HLWRS Management Board.

Given the number of issues that might need to be addressed by the SIR Team during the review of DOE's license application, and the limited time available to resolve those issues, the SIR Team operates in many cases by means of subteams, i.e., a subset of the entire SIR Team appropriate to the issue at hand. If a subteam reaches a decision by consensus on an issue, it subsequently provides the decision to the entire SIR Team membership for ratification by negative consent. If one or more members of the SIR Team object to the decision within 24 hours of having been provided with the subteam decision, the SIR Team meets in an attempt to reach consensus. Should consensus not be achievable quickly, the Branch Chiefs vote on the decision and provide a record of decision to the HLWRS Management Board. Alternative views may be attached to the record of decision if one or more members wish to do so.

Enclosure

#### **IV RESPONSIBILITIES**

Prior to the receipt of DOE's license application, the SIR Team reviews staff activities in preparation for a license review as requested by the HLWRS Management Board. Such activities include, but are not limited to, review strategies and Safety Evaluation Report (SER) chapter outlines.

During the acceptance review of DOE's license application, the SIR Team interacts with the Acceptance Review Team (ART) as the ART conducts the acceptance review. Upon being provided with the ART's evaluation of the acceptability of DOE's license application for docketing, the SIR Team prepares its recommendation on whether or not to accept DOE's license application and presents it to the HLWRS Management Board for the Board's decision.

If DOE's license application is docketed, the SIR Team is responsible for addressing in a timely manner technical issues that arise from the review teams' detailed regulatory evaluation of DOE's license application and development of the SER and Requests for Additional Information (RAIs). An issue appropriate for consideration by the SIR Team, or by SIR subteams (as described under Item III above), is a matter that requires SIR Team attention because the review team has reached an impasse due to internal disagreements or to uncertainty as to a finding or evaluation.

In addition, the SIR Team considers all DOE RAI responses that the review teams have found inadequate. If the SIR Team agrees that DOE did not provide an adequate answer to an RAI, the SIR Team works with the review team to take one of the following actions: (a) prepare a license condition; (b) keep as an open item and require inspection during construction or operation; (c) send the RAI back to DOE through the usual communication channels for an adequate response. If the SIR Team considers DOE's response sufficient, the SIR Team works with the review team to address the staff's safety concern in the SER.

#### **V DOCUMENTATION**

The Chairperson is responsible for ensuring that documentation is developed and disseminated to the HLWRS Management Board and to the CNWRA and NRC staffs for all SIR Team decisions. This documentation is in the form of a one-page report that states the issue and the decision of the SIR Team. Attached to this record of decision are any alternate views provided by those in disagreement with the decision.

Other than these records of decisions, no summaries of SIR Team meetings and deliberations need to be developed.