

SUMMARY OF NRC/DOE QUARTERLY MANAGEMENT MEETING APRIL 19, 2002

Introductions - The NRC/DOE Quarterly Management Meeting was held on April 19, 2002 at DOE offices in Las Vegas with videoconference and/or audio conference participation from the NRC Rockville, MD office, the DOE Forrestal Office Building, the Center for Nuclear Waste Regulatory Analysis (CNWRA or the Center), and the NRC Region IV offices. The agenda for the meeting and the attendance list are contained in Enclosures 1 and 2.

DOE Program Update - Dr. Margaret S. Y. Chu, Director of the Office of Civilian Radioactive Waste Management, focused her opening remarks on emphasizing a proactive approach to Quality Assurance (QA) and the need for a more effective program. Dr. Chu reiterated her belief, expressed in the April 18, 2002 QA meeting, that QA is critical to assuring the scientific integrity of the program. She intends to assure that the QA program is implemented in a manner that will support a successful license application. Dr. Chu indicated that there has been a strong focus on self-assessments and problem identification, but that problem identification must be accompanied by a dedicated approach to effective corrective action. DOE must be able to implement and sustain timely and continuous improvements to the QA process. She also indicated her awareness of the importance of a successful to Employee Concerns Program. Dr. Chu briefly discussed the program's planned budget for Fiscal Year 2003, which is needed to move forward with a potential License Application (LA).

Ms. Margaret Federline, Deputy Director, NRC Office of Nuclear Material Safety and Safeguards, made brief opening remarks regarding the importance of an effective QA program and noted that she was encouraged by the remarks of Dr. Chu and other DOE senior officials regarding their efforts to identify and implement necessary changes to the QA program. She emphasized the need for both agencies to focus on their evolving roles as the project potentially moves from a pre-licensing to a licensing phase, and in doing so, focus on those issues most risk significant. To that degree, Ms. Federline believes that DOE's path forward for addressing the remaining agreements before LA is an important program milestone. Ms. Federline also stated that both agencies must continue to identify clear objectives and goals for future interactions on the agreements and other program elements to increase program efficiencies.

Project Update - Dr. Russell Dyer, Project Manager of the Yucca Mountain Site Characterization Office (YMSCO), in his opening remarks provided a general project update with some focus on the Quality Assurance meeting from the previous day. He reiterated that DOE is working to improve the quality program implementation and overall performance. With regard to keeping the NRC informed, DOE proposes to keep the NRC Onsite Representatives apprised of its progress and provide them copies of the OCRWM Management Improvement Initiatives (OMII) status information as it is developed. In addition, Dr. Dyer proposed conducting periodic telephone updates on OMII status with the NRC staff as well as ensuring comprehensive discussions at the quarterly meetings.

Dr. Dyer described temporary detail re-assignments being implemented in the areas of Science and

the Office of Licensing & Regulatory Compliance (OL&RC).

Regarding the FEIS, Dr. Dyer noted that preparation of the DOE FEIS was based on a conceptual design that included a range of design and operating conditions. As the repository design continues to evolve toward the LA design, DOE plans to periodically evaluate the evolving design changes to assess whether the environmental impacts in the EIS encompass and bound those from any new design features. This will be controlled by project procedures and reported in semiannual reports. If a new design feature is determined to fall outside the EIS bounds, DOE will consult with the NRC.

Dr. Dyer also discussed the Licensing Support Network (LSN). DOE is actively working to assure that publicly available information is responsibly managed. He indicated that DOE is ready to begin repopulating the LSN test server and is progressively implementing a strategy to have LSN ready for certification to support a potential LA submittal. DOE and NRC staffs have scheduled a meeting to discuss Electronic Information Exchange (EIE) issues.

In response to Dr. Dyer's opening remarks, Ms. Federline reiterated NRC's desire for DOE to submit a high-quality License Application for which an effective program QA is a prerequisite and NRC's expectation that it will see improvements in this area. With regard to the Key Technical Issues, Ms. Federline again emphasized that there must be a strong risk-informed focus and a clear view of working on what's important for project success. She emphasized the need for future interactions to define/clarify joint objectives.

NRC Program Update – Mr. William Reamer (NRC) noted that the NRC Public Feedback Form was available and encouraged members of the public to take the opportunity to provide feedback. He also noted that the NRC is currently in the process of conducting a rulemaking to define "unlikely events" in a quantitative fashion. Public comments have been received, and NRC expects that the final rule will be issued by the end of this fiscal year.

Ms. Janet Schlueter (NRC) briefly discussed the issuance of the draft Yucca Mountain Review Plan, planned dates for scheduled public meetings, recent outreach meetings, and the possibility of future public outreach meetings, a request from Clark County for more public meetings, and the possibility of an NRC Onsite Representatives open house in June. A Technical Exchange on Pre-Closure issues is scheduled for May 25-26, 2002 at NRC Headquarters.

In the LSN area, Ms. Schleuter stated that the NRC expects to revise Regulatory Guide 3.69 and issue it for comment in the May-June time frame. Documents are again being placed into the ADAMS system, and the NRC web site is nearly ready to go back into full operation following the security review prompted by the September 11, 2001 events. In follow-up discussion regarding LSN, the NRC emphasized the importance of successfully achieving the schedule for making information publicly available using LSN and asked if there were roadblocks that were affecting DOE. April Gil (DOE) responded that there were no roadblocks to repopulating the test server. DOE noted, however, that the test server is not the actual LSN server, which is scheduled for purchase in early 2003. A Technical Exchange on various aspects of LSN is currently scheduled for June 4, 2002 in Las Vegas.

Mr. Tom Essig (NRC) briefly discussed the EIS. The NRC will consider adopting the DOE EIS

under the provisions of 10 CFR 51. However, adoption would be impacted if, for example, there is significant new information that renders the EIS inadequate or a potential design changes requires further discussion. The NRC wants to schedule a meeting with DOE to discuss the generic matter of new information becoming available post-EIS.

Mr. John Greeves (NRC) asked if there are any planned interactions with DOE on the YMRP. It was agreed that an NRC/DOE public meeting should be scheduled on the YMRP.

LA Planning Status – Dr. Stephan Brocoun (DOE) provided the status of License Application (LA) planning. DOE is focusing on submittal of a complete and defensible LA to NRC as soon as possible following potential site designation; a multi-year work plan has been developed through LA submittal. These work plans are the basis for monitoring and control of progress toward LA development. DOE intends the LA to be complete, transparent and traceable, defensible, and consistent with the YMRP. The LA will build on the technical basis for Site Recommendation (SR). Technical work conducted prior to completion of the LA will focus on: providing refined design information and improving confidence in or refining models and other technical basis elements. An appropriate level of design documentation and analysis will be developed to provide sufficient information for NRC staff review.

The repository design will be capable of a range of postclosure maximum temperatures with a general configuration similar to the current configuration. Modular development of the repository will be investigated (modular development consists of initial construction of a core set of surface facilities followed by construction of additional facilities as capacity and need dictate). A single Total System Performance Assessment (TSPA) will be developed and documented using credible (or conservative) representations of anticipated performance of natural and engineered barriers. Uncertainties will be analyzed. The TSPA will provide the basis for “reasonable expectation.”

The current work plan refines the general work scope for LA (through 12/04) using a top-down approach and performance-based prioritization. A detailed Work Plan for the remainder of FY 2002 activities has been developed and is under review. DOE expects to provide an integrated schedule and risk assessment in June 2002.

The NRC identified the issue of modular development as one that is likely to initiate public questions to the NRC. A meeting may be needed at some appropriate time to inform the NRC of DOE’s plans, if any, in this area.

The NRC also questioned whether the schedule to LA provides for the use of new data and results. Dr. Chu indicated that she would be investigating the issue.

OCRWM Management Improvement Initiative (OMII) – Mr. Joseph Ziegler (DOE) discussed the OMII, which was discussed in considerably more detail at the QA meeting on the previous day. Primary points discussed included the revised approach and restructuring of the OMII; management commitment and involvement in the OMII development and implementation; and the mechanism for tracking and communicating results of OMII implementation.

As a result of the revised approach, DOE has dedicated DOE Senior Management to OMII

activities. Mr. Ziegler emphasized the DOE, BSC, National Laboratories and USGS commitment and ownership of OMII implementation. He noted the comprehensive incorporation of CAR corrective actions, lessons learned and management initiatives. DOE intends to track and communicate actions, schedules, interim results, and performance metrics to internal and external organizations

The NRC expressed considerable concern over the schedule for OMII submittal. DOE intends to submit the revised OMII in a timely manner and assure that the revision is sound prior to submittal. Mr. John Greeves (NRC) indicated that the NRC believes the OMII should be submitted at least 30 days prior to the next management meeting.

OCRWM Concerns Program Update - Dr. Dyer presented information on the OCRWM Concerns Program (Enclosure 3). The information included the status of open concerns and the approach for providing feedback to concerned individuals (planned to include a combination of direct feedback for non-anonymous concerns and other communications on a broader basis for anonymous concerns).

The NRC asked if the Morgan-Lewis recommendations on employee concerns were being factored into the OMII. DOE responded affirmatively. Both Dr. Chu and the NRC recognized the need to assure that the OCRWM Concerns Program has adequate resources.

QA Management Issues - There was a brief management discussion of the QA issues discussed in the previous day's quarterly meeting on QA. DOE expressed optimism that QA programmatic issues were moving in the right direction. Mr. John Greeves expressed concern over the length of time it has taken to resolve QA issues. Dr. Chu indicated that she expects to show improvement at subsequent QA meetings, and Mr. Greeves expressed the hope that a year from now, QA problems will no longer be the number one topic at the quarterly meetings.

Mr. Robert Latta (NRC) noted that there is a significant difference between the QA program and effective implementation of the QA process. To date OQA has been very effective at identifying areas for improvement and deficiencies. However, the major challenges to the project have been in the areas of the line organizations ability to develop and sustain effective corrective and preventive actions to prevent recurrence.

Mr. Atef Elzeftawy, the tribal consultant for the Las Vegas Paiute tribe, commented that the country cannot afford a situation such as that on the NASA Mars probe where metric/English confusion caused loss of the probe; DOE must be candid and honest about quality issues and do the best that it can to improve its QA process.

Status of KTI Agreement Items - Dr. Brocoum (DOE) discussed the KTI Agreement Item Resolution status (Enclosure 4). The NRC currently shows 38 items as complete; however two additional agreement items were closed at the April 15-16, 2002 meeting bringing the total to 40. He also briefly discussed the prioritization approach that has been used for KTI Agreement Items in the conduct of LA planning. This approach is a risk-informed, performance-based process that considers risk, project milestones, and resources needed. A detailed Work Plan for the remainder of

FY 2002 activities has been developed and is under review. DOE expects to provide an integrated schedule and risk assessment in June 2002.

NRC indicated at the KTI meeting that it is more interested in how DOE plans to address NRC's information needs than in the DOE disposition method. DOE plans to address all agreements before submittal of the LA. NRC and DOE agreed that continued NRC/DOE interactions concerning the KTIs are warranted.

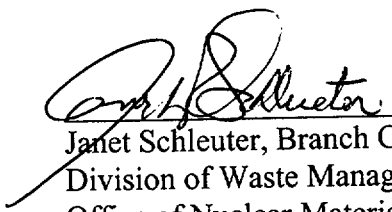
Action Item Status – Ms. April Gil (DOE) presented the current management meeting action items. Those action items, new action items, and the current status are shown on Enclosure 5. The NRC observed that action items should focus on desired outcomes and results to reflect setting the right priorities and to stay focused on the appropriate objectives.

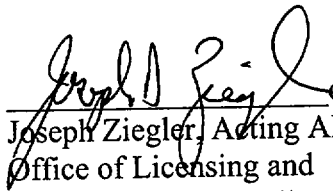
Closing


Dr. Margaret Federline (NRC) and Dr. Chu agreed that the quarterly meetings should focus on solving problems.

The only closing public comment was from Mr. Atef Elzeftawy, the tribal consultant for the Las Vegas Paiute tribe, who took the opportunity prior to an early departure to thank John Greeves of the NRC and to invite him to come and address the council or, if that is not possible, for the council to meet publicly with the NRC including the Commission.

The meeting adjourned.

 date 5/3/02
Janet Schleuter, Branch Chief
Division of Waste Management
Office of Nuclear Material
Safety and Safeguards
U.S. Nuclear Regulatory Commission

 date 4/30/02
Joseph Ziegler, Acting AMOLRC
Office of Licensing and
Regulatory Compliance
Yucca Mountain Site
Characterization Office
U.S. Department of Energy

 date 5-2-02
Nancy Slater Thompson
Regulatory Coordination Division
Office of Civilian Radioactive
Waste Management
U.S. Department of Energy

**List of Enclosures
For
April 19, 2002
Management Meeting Summary**

Enclosure	Description
1	Agenda
2	Attendance List
3	OCRWM Concerns Program Update
4	Status of KTI Agreement Items
5	Action Items

ENCLOSURE 1

Agenda
DOE/NRC Quarterly Management Meeting
April 19, 2002
8:30AM– 12:30 PM (PT)
11:30PM – 3:30 PM (ET)

BSC
Room 915
9960 Covington Cross
Las Vegas, NV

And via Videoconference to:

U.S. Department of Energy
Forrestal Building, Room 7F-091
1000 Independence Avenue, SW
Washington, DC 20585

U. S. Nuclear Regulatory Commission
Room T-2B5
11545 Rockville Pike
Rockville, MD

INTERESTED PARTIES MAY PARTICIPATE VIA TELECON BY CALLING 702-295-6081

8:30 AM	Introductions	ALL
8:40 AM	DOE Program/Project Update <ul style="list-style-type: none">• Program Update• Project Update	DOE Chu Dyer
9:20 AM	NRC Program Update	NRC
9:40 AM	LA Planning Status	Brocoum
10:00 AM	OCRWM Management Improvement Initiative	Ziegler
10:45 AM	OCRWM Concerns Program Update	Dyer
11:15 AM	QA Management Issues	DOE/NRC
11:45 AM	Status of KTI Agreement Items	Brocoum
12:00 N	Action Item Status	DOE/NRC
12:15 PM	Closing Remarks	ALL
12:30 PM	Adjourn	

* A 15 minutes break will be taken as needed

ENCLOSURE 2

QA: N/A

ATTENDANCE LIST
DOE - NRC Quarterly Management Meeting
Las Vegas, NV
April 19, 2002

[illegible]

QA: N/A

ATTENDANCE LIST
DOE - NRC Quarterly Management Meeting
Las Vegas, NV
April 19, 2002

Name	Organization	Telephone
Joe Ziegler	DOE	702-794-5567
Red McCullen	NEI	202-739-8082
ALI HAGHI	BSC/DETS	202-295-4019
George Alkham	DOE	702-794-1419
Robert Hartstern	BSC/OA	702 295-2675
PHILIP JUSTUS	USNRC On-Site	702 794 5057
Bob Cumble	MTS/Booz Allen	702-794-1440
CHUCK METZGER	MTS	202-626-1054
BOB LATTA	US NRC	(702) 794-5048
Sam Adams	MTS	(702) 794-5439
Joe Rivers	JASON Associates Corp	(702) 251-8055 x212
Jane Summerson	DOE/OLRC	702 794 1493
* Elaine Ezra	NYE COUNTY	702 795 8254
Ron Benedict	NIC/PCS	702-295-5099
Jim Cross	BAH	256-457-4799
Jean Younk	BSC	702 295 5497
K Michael Cline	MTS/Regulatory	702 794 5481
ROBERT MURRAY	MTS	702 794-5564
ROBERT HANSON	ORR/NRS	702-794-5023
R.F. HELSTROM	PUBLIC	801-255-0984

* Note: Best Available Copy, Line Reads

ELAINE EZRA NYE COUNTY

702-795-8254

Notation Added By SAM H. HOBBS

Sam H Hobbs 4/30/2002

QA: N/A

ATTENDANCE LIST
DOE - NRC Quarterly Management Meeting
Las Vegas, NV
April 19, 2002

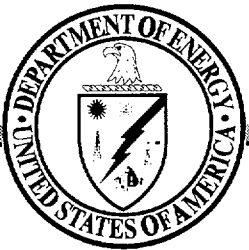
Name	Organization	Telephone
Atef Elzeftawy (Kenney)	Las Vegas Paiute Trib	300-3493
MYRLIE RICE	INTENTECH / INDOCOLO (Couch)	702 263-6583
Bill Redman	NRC/NMSS/DUM	301-415-7000
Janet Schlueter	NRC/NMSS/ITLW	34-415-7264
DONALD T. KRISHA	BSC QA	702- 295-6242
S.J. CEREGHINO	BSC	702-295-3944
Susan Lynch	State of Nevada	775-687-3744
Mal Murphy	Mike C.	360 943-5610
STAN ECHOLS	ECG	202.537.1468
ANDREW REMUS	INYO CO. YM OFFICE	760-878-0447
DONALD HORTON	DOE/YNMFD	702-794-1301
TIM GUNTER	DOE/YNMSCO	702-794-1343
RANDALL	BSC	702-204-5226
STEVE HANAUER	DOE	702-794-1358
Jim Linhart	NSRFP	702 295-0366
TISH Morgan	MTS	702-794-1463
Dick H. Spence	DOE/OPE	(702) 794-1455
Bob Bradburn	MTS	(702) 794-5424
SAM HOBBS	BSC/LAP	702-295-4031
NANCY WILLIAMS	BSC/PROJECTS	702-295-5143
KENNAN NESS	BSC	702-295-0502

QA: N/A

ATTENDANCE LIST
DOE - NRC Quarterly Management Meeting
Las Vegas, NV
April 19, 2002

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ENCLOSURE 3



U.S. Department of Energy
Office of Civilian Radioactive Waste Management



OCRWM Concerns Program

Presented to:

DOE/NRC Quarterly Management Meeting

Presented by:

J. Russell Dyer

Project Manager

Office of Civilian Radioactive Waste Management

Yucca Mountain Site Characterization Office

April 19, 2002

Las Vegas, Nevada



OCRWM Concerns Program

- **Status of Open Concerns**
 - Continuing to resolve 2001 concerns including those from approximately 1500 interviews at TRW-BSC transition; 210 of 263 Closed
 - 5 of 24 concerns received Jan-Mar 2002 are complete
 - 72 concerns remain in process
 - Priorities on Quality and SCWE issues while addressing all concerns
 - ◆ Priority 1- SCWE Concerns/HIRD issues addressed first
 - ◆ Priority 2 - Quality Concerns
 - Initiatives to improve performance in OMII



OCRWM Concerns Program

(Continued)

- **Feedback to Concerned Individual (CI)**
 - **CI is provided summary of results for either OCP investigation or Management, HR, Safety reviews**
 - ◆ **If substantiated, CI sent copy of corrective action document or stated management action to address condition**
 - **Feedback to CI includes OCP request for response on review results and whether related actions address concern**
 - ◆ **Not all CI's provide feedback to OCP**
 - ◆ **Some feedback results in additional review**
 - ◆ **Amended results returned to CI for review and comment**
 - ◆ **OCP also determines if initial review results indicate need for process improvement**
 - **If CI is not satisfied, management escalation process is explained**



OCRWM Concerns Program

(Continued)

- **Feedback to Concerned Individual** (continued)
 - OCP to enhance its collection of metrics on CI response and use data to improve OCP feedback process
 - ‘Anonymous’ Concerns are approximately 10% of total
 - ◆ OCP finalizing article on results of selected ‘anonymous’ concerns
 - » Selection based on broad nature of concern
 - » Article to be provided for publishing in BSC Today for Project personnel
 - » Target date - April 30, 2002
 - OCP exploring other options to enhance frequency on communicating results of ‘anonymous’ concerns to all Project employees
 - » Other options: More frequent articles in BSC Today; separate OCP newsletter; secure OCP Intranet Website to post selected results



ENCLOSURE 4



U.S. Department of Energy
Office of Civilian Radioactive Waste Management



Key Technical Issue Resolution

Presented to:

DOE/NRC Quarterly Management Meeting

Presented by:

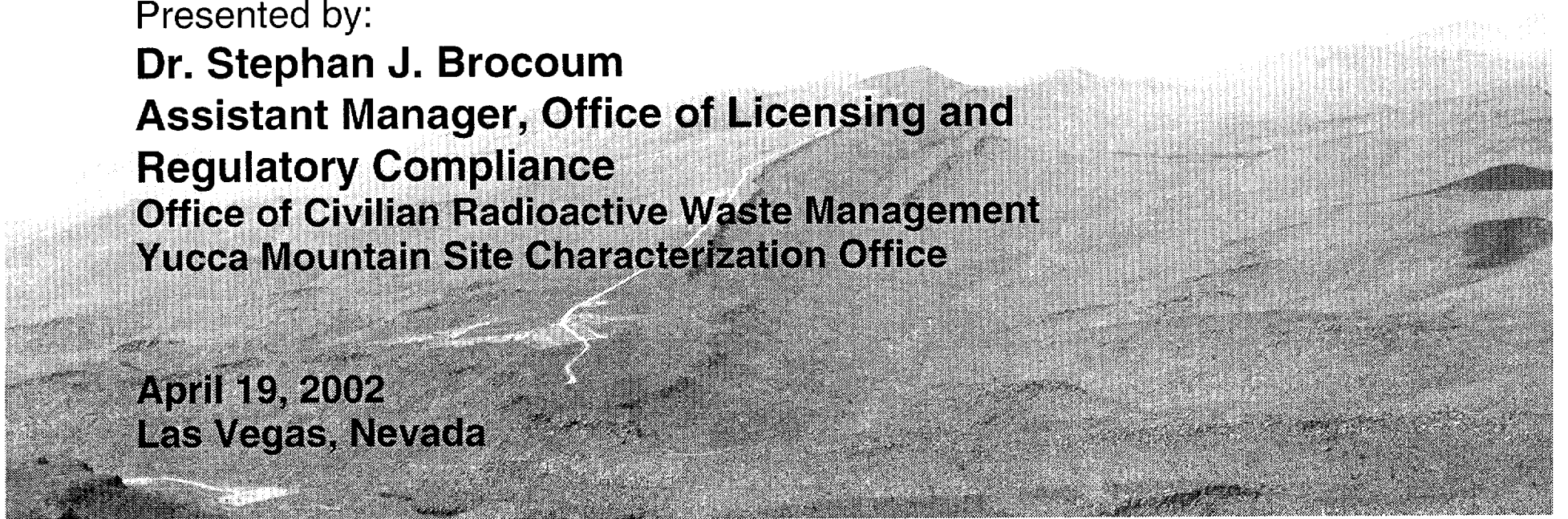
Dr. Stephan J. Brocoum

**Assistant Manager, Office of Licensing and
Regulatory Compliance**

**Office of Civilian Radioactive Waste Management
Yucca Mountain Site Characterization Office**

April 19, 2002

Las Vegas, Nevada



Key Technical Issue Agreement Summary

(Reflects activities through April 15, 2002)

KTID ID	Agreements Reached (1)	Documentation Received for Agreement (3)	Documentation Partly Received for Agreement (4)	Documentation Not Received for Agreement	Need Additional Information (5)	Agreements Complete (2)
USFIC	27	0	1	22	0	4
IA	22	0	1	14	0	7
CLST	58	1	3	32	13	9
SDS	10	4	2	0	3	1
RT	29	1	2	22	2	2
ENFE	41	3	7	19	2	10
TEF	15	1	4	5	1	4
RDTME	23	0	2	21	0	0
TSPAI	58	0	0	57	0	1
PRE-C**	9	0	0	9	0	0
GEN	1	0	0	1	0	0
TOTAL (As of 4/9/02)	293	10	22	202	21	38
Updated TOTAL (NRC input at 4/15 TE)	293	14	22	199	20	38

** Note: Pre-closure Safety is not considered a Key Technical Issue, but is listed as a topic of interest to the NRC.

1. The total of agreements reached between NRC and DOE at technical exchange meetings.

2. Agreements closed by NRC for which it has reviewed all documentation and has no further questions.

3. Agreements for which NRC has received all documentation but has not completed its review.

4. Agreements for which NRC has received a portion of the documents agreed to.

5. Agreements for which NRC has received complete or partial documentation, but has requested further information via a formal letter.



ENCLOSURE 5

DOE/NRC Management Meeting Action Items

Num	Action Item	Status	Remarks
0204-01	Schedule a DOE/NRC meeting to establish a path forward for identifying and evaluating new information and other considerations relating to the FEIS.	In Progress	
0204-02	Schedule a DOE/NRC meeting to assure the NRC has needed information on the possible modular approach to surface facility development for responding to public inquiries or dealing with emerging related design issues	In Progress	Will be scheduled when DOE has developed sufficient information
0112-02	DOE will provide NRC additional information on how Morgan-Lewis recommendations regarding SCWE concerns are addressed in the OMII.	In Progress	SCWE concerns are now one of the major objectives in the OMII and were discussed at the April 2002 Quarterly QA Meeting. This subject will be included in the next quarterly QA and Management Meeting discussions.
0109-01	NRC requests followup discussion with DOE and NRC staff regarding specific examples in the presentation on impact assessment of unqualified data and software.	Complete	Followup discussion has been initiated during telephone conversations since the September QA meeting. Will be further addressed in the December Quarterly QA meeting and in additional followup as necessary..
0109-02	To assure NRC ability to assess the concerns program adequacy, NRC requests followup discussion in management meetings on the OCRWM concerns program, specifically how feedback is provided to employees.	In Progress	This was discussed in the December 2001 and April 2002 Quarterly Management Meeting and will be further discussed in the next Management Meeting. Adequacy of OCRWM concerns program resources and path forward should be included in future discussions.

DOE/NRC Management Meeting Action Items

Num	Action Item	Status	Remarks
0104-03	NRC will provide DOE with information on its transition to an Integrated Sub-Issue (ISI) framework and its Integrated Issue Resolution Status Report at a meeting to be scheduled.	In Progress	This will be completed following issuance of the YMRP (which is the appropriate time to provide the information).
0004-05	To assure a common understanding of status and needed actions, DOE and NRC agreed to establish a consolidated list of commitments and open items and develop a process to track which open items are closed, closed pending confirmation, or open. The status of this effort will be reported at future management meetings.	In Progress	There was a demonstration of CIRS database and commitment management system on 11/21/00 to demonstrate DOE open item management. KTI Status has been either on the agenda of each management meeting since or has been the subject of associated KTI breakout sessions. KTI Status and the status of the OITS report and the path forward for procss and status will continue to be a regular item for discussion at future management meetings or KTI breakout sessions until work in this area is completed.

Notes: Action Item "Num" format is YYMM-nn, so action item number 1 from the April 2002 meeting is 0204-01