

December 10, 2001

Dr. Stephen Brocoum
Assistant Manager for Licensing
U.S. Department of Energy
Office of Civilian Radioactive Waste Management
Yucca Mountain Site Characterization Office
P.O. Box 30307
North Las Vegas, Nevada 89036-0307

SUBJECT: U.S. DEPARTMENT OF ENERGY TOPICAL REPORT ON DISPOSAL
CRITICALITY ANALYSIS METHODOLOGY, REVISION 01

By letter dated February 21, 2001, the U.S. Department of Energy (DOE) submitted the "Disposal Criticality Analysis Methodology Topical Report, Revision 01" for U.S. Nuclear Regulatory Commission (NRC) staff review. As indicated in your letter, Revision 01 of the Topical Report is a continuation of the Topical Report/Safety Evaluation Report (SER), and addresses the open items in the SER.

During the NRC/DOE meetings on criticality, subsequent to submittal of the Topical Report, Revision 01 (e.g., NRC/DOE/Department of Navy (DON) meeting of June, 2001), the NRC staff proposed to DOE that review of that report be deferred until the NRC finished its review of the Navy addendum and produced the final SER. DOE indicated its agreement with this prioritization of the NRC's review activities. Now that the NRC staff is almost done with the final SER for the Navy addendum, the staff has begun to turn attention to the review of the Topical Report, Revision 01.

Based on the materials presented in the Topical Report, Revision 01, the staff determined that this report satisfies all four criteria for the NRC acceptance of a topical report described in the Topical Report Review Plan. Specifically, the staff finds that the report: (1) dealt with a subject requiring a safety assessment that can be reviewed independent of a license application; (2) is capable of being referenced; (3) contains complete and detailed information on a specific subject; and (4) will provide increased efficiency in the review process for the license application. In addition, the staff, in accordance with the Topical Report Review Plan, has completed its acceptance review of Topical Report, Revision 01, and finds the report to be sufficiently complete for the staff to initiate its technical review. To facilitate the review process, the schedule of anticipated meetings between our staffs and the milestones leading to issuance of an amendment to the SER is provided.

In regard to the SER open items, your letter indicated that, "some of these items are not intended to be resolved completely in the Topical Report, but are planned to be resolved in future documents, primarily through model validation reports." We may determine, however, that additional information is needed before we will be able to amend the SER. If this were to be the case then we will provide you with any necessary requests for additional information. Upon the completion of detailed technical review, any request for additional information, and acceptance of the Topical Report, the staff will issue an amendment to the aforementioned SER.

S. Brocoum

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We look forward to working with your staff during the course of the topical report review. If you have any questions regarding the letter, staff's review or schedule, please contact me at (301) 415-6537 or Meraj Rahimi at (301) 415-6616.

Sincerely,

/RA/

C. William Reamer, Chief
High-Level Waste and Performance
Assessment Branch
Division of Waste Management
Office of Nuclear Material Safety and Safeguards

Enclosure: Review Schedule

cc: See attached distribution list

Letter to S. Brocoum from C.W. Reamer dated December 10, 2001

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J. Birchim, Yomba Shoshone Tribe
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C. Meyers, Moapa Paiute Indian Tribe
V. Miller, Fort Independence Indian Tribe
A. Bacock, Big Pine Paiute Tribe of
the Owens Valley
R. Quintero, Inter-Tribal Council of Nevada
(Chairman, Walker River Paiute Tribe)
M. Bengochia, Bishop Paiute Indian Tribe
J. Egan, Egan & Associates, PLLC

L. Tom, Paiute Indian Tribes of Utah
E. Smith, Chemehuevi Indian Tribe
J. Charles, Ely Shoshone Tribe
D. Crawford, Inter-Tribal Council of Nevada
H. Blackeye, Jr., Duckwater Shoshone Tribe
D. Eddy, Jr. Colorado River Indian Tribes
J. Leeds, Las Vegas Indian Center
W. Briggs, Ross, Dixon & Bell

**Review Schedule for U.S. Department of Energy
Disposal Criticality Analysis Methodology Topical Report, Revision 01**

NRC initiates detailed technical review	4/2002
Technical Exchange	5/2002
NRC Issues Request for Additional Information (RAI) if needed	6/2002
DOE submits Responses to RAI	8/2002
Staff Completes Review	9/2002
NRC issues Draft Amendment to Safety Evaluation Report (SER)	10/2002
Technical Exchange	11/2002
NRC issues Final Amendment to SER	12/2002

We look forward to working with your staff during the course of the topical report review. If you have any questions regarding the letter, staff's review or schedule, please contact me at (301) 415-6537 or Meraj Rahimi at (301) 415-6616.

Sincerely,

/RA/

C. William Reamer, Chief
High-Level Waste and Performance
Assessment Branch
Division of Waste Management
Office of Nuclear Material Safety and Safeguards

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