

August 3, 2004

Mr. Joseph Ziegler, Director
Office of License Application and Strategy
U.S. Department of Energy
Office of Repository Development
1551 Hillshire Drive
North Las Vegas, NV 89134-6321

SUBJECT: RESPONSE TO YOUR JUNE 14, 2004, LETTER, "U.S. DEPARTMENT OF ENERGY SUBMITTALS OF ADDITIONAL INFORMATION TO SUPPORT THE U.S. NUCLEAR REGULATORY COMMISSION'S FINDING ON ISSUANCE OF A LICENSE TO RECEIVE AND POSSESS SPENT NUCLEAR FUEL AND HIGH-LEVEL RADIOACTIVE WASTE AT A YUCCA MOUNTAIN, NEVADA, REPOSITORY"

This is in response to your proposed intent to submit new and additional information and detail on the Physical Protection Plan and the Material Control and Accounting Program beyond that contained in the anticipated December 2004 submission of the License Application (LA) and a Safety Analysis Report. We are in agreement that because of the multi-stage and progressive nature of the Yucca Mountain project, the regulations in 10 CFR Part 63 permit the submission of new and additional information resulting from construction and design activities after the anticipated December 2004 submission and at a stage commensurate with the U.S. Nuclear Regulatory Commission's licensing decision.

We look forward to a continued dialog on this matter, and request that you keep us informed on matters which may affect these submittals.

Sincerely,

/RA/

C. William Reamer, Director
Division of High-Level Waste Repository Safety
Office of Nuclear Material Safety
and Safeguards

cc: See attached list

Letter to J. Ziegler from C.W. Reamer, dated: August 3, 2004

cc:

A. Kalt, Churchill County, NV	A. Elzeftawy, Las Vegas Paiute Tribe
R. Massey, Churchill/Lander County, NV	J. Treichel, Nuclear Waste Task Force
I. Navis, Clark County, NV	W. Briggs, Ross, Dixon & Bell
E. von Tiesenhausen, Clark County, NV	M. Chu, DOE/Washington, D.C.
G. McCorkell, Esmeralda County, NV	G. Runkle, DOE/Washington, D.C.
L. Fiorenzi, Eureka County, NV	C. Einberg, DOE/Washington, D.C.
A. Johnson, Eureka County, NV	S. Gomberg, DOE/Washington, D.C.
A. Remus, Inyo County, CA	W. J. Arthur, III , DOE/ORD
M. Yarbro, Lander County, NV	R. Dyer, DOE/ORD
S. Hafen, Lincoln County, NV	J. Ziegler, DOE/ORD
M. Baughman, Lincoln County, NV	A. Gil, DOE/ORD
L. Mathias, Mineral County, NV	W. Boyle, DOE/ORD
L. Bradshaw, Nye County, NV	D. Brown, DOE/OCRWM
M. Maher, Nye County, NV	S. Mellington, DOE/ORD
D. Hammermeister, Nye County, NV	C. Hanlon, DOE/ORD
M. Simon, White Pine County, NV	T. Gunter, DOE/ORD
J. Ray, NV Congressional Delegation	A. Benson, DOE/ORD
B. J. Gerber, NV Congressional Delegation	N. Hunemuller, DOE/ORD
F. Roberson, NV Congressional Delegation	M. Mason, BSC
T. Story, NV Congressional Delegation	S. Cereghino, BSC
R. Herbert, NV Congressional Delegation	N. Williams, BSC
L. Hunsaker, NV Congressional Delegation	E. Mueller, BSC
S. Joya, NV Congressional Delegation	J. Mitchell, BSC
K. Kirkeby, NV Congressional Delegation	D. Beckman, BSC/B&A
R. Loux, State of NV	M. Voegelé, BSC/SAID
S. Frishman, State of NV	B. Helmer, Timbisha Shoshone Tribe
S. Lynch, State of NV	R. Boland, Timbisha Shoshone Tribe
P. Guinan, Legislative Counsel Bureau	R. Arnold, Pahrump Paiute Tribe
J. Pegues, City of Las Vegas, NV	J. Birchim, Yomba Shoshone Tribe
M. Murphy, Nye County, NV	R. Holden, NCAE

cc: (Continued)

R. Clark, EPA

R. Anderson, NEI

R. McCullum, NEI

S. Kraft, NEI

J. Kessler, EPRI

D. Duncan, USGS

R. Craig, USGS

W. Booth, Engineering Svcs, LTD

L. Lehman, T-Reg, Inc.

S. Echols, Esq

C. Marden, BNFL, Inc.

J. Bacoeh, Big Pine Paiute Tribe of the
Owens Valley

P. Thompson, Duckwater Shoshone Tribe

T. Kingham, GAO

D. Feehan, GAO

E. Hiruo, Platts Nuclear Publications

G. Hernandez, Las Vegas Paiute Tribe

K. Finrock, NV Congressional Delegation

P. Johnson, Citizen Alert

A. Capoferri, DOE/ Washington, DC

J. Williams, DOE/Washington, DC

C. Meyers, Moapa Paiute Indian Tribe

R. Wilder, Fort Independence Indian Tribe

D. Vega, Bishop Paiute Indian Tribe

J. Egan, Egan, Fitzpatrick & Malsch, PLLC

J. Leeds, Las Vegas Indian Center

J. C. Saulque, Benton Paiute Indian Tribe

C. Bradley, Kaibab Band of Southern Paiutes

R. Joseph, Lone Pine Paiute-Shoshone Tribe

L. Tom, Paiute Indian Tribes of Utah

E. Smith, Chemehuevi Indian Tribe

D. Buckner, Ely Shoshone Tribe

V. Guzman, Walker River Paiute

D. Eddy, Jr., Colorado River Indian Tribes

H. Jackson, Public Citizen

J. Wells, Western Shoshone National
Council

D. Crawford, Inter-Tribal Council of NV

I. Zabarte, Western Shoshone National
Council

S. Devlin

G. Hudlow

D. Irwin, Hunton & Williams

August 3, 2004

Mr. Joseph Ziegler, Director
Office of License Application and Strategy
U.S. Department of Energy
Office of Repository Development
1551 Hillshire Drive
North Las Vegas, NV 89134-6321

SUBJECT: RESPONSE TO YOUR JUNE 14, 2004, LETTER, "U.S. DEPARTMENT OF ENERGY SUBMITTALS OF ADDITIONAL INFORMATION TO SUPPORT THE U.S. NUCLEAR REGULATORY COMMISSION'S FINDING ON ISSUANCE OF A LICENSE TO RECEIVE AND POSSESS SPENT NUCLEAR FUEL AND HIGH-LEVEL RADIOACTIVE WASTE AT A YUCCA MOUNTAIN, NEVADA, REPOSITORY"

This is in response to your proposed intent to submit new and additional information and detail on the Physical Protection Plan and the Material Control and Accounting Program beyond that contained in the anticipated December 2004 submission of the License Application (LA) and a Safety Analysis Report. We are in agreement that because of the multi-stage and progressive nature of the Yucca Mountain project, the regulations in 10 CFR Part 63 permit the submission of new and additional information resulting from construction and design activities after the anticipated December 2004 submission and at a stage commensurate with the U.S. Nuclear Regulatory Commission's licensing decision.

We look forward to a continued dialog on this matter, and request that you keep us informed on matters which may affect these submittals.

Sincerely,

/RA/

C. William Reamer, Director
Division of High-Level Waste Repository Safety
Office of Nuclear Material Safety
and Safeguards

cc: See attached list

DISTRIBUTION: HLW-04-0045

HLWRS r/f	ACNW	LKokajko	ECollins	CNWRA	LCampbell
LChandler	KStablein	ACampbell	MYoung	JMoore	MBailey
FBrown	MZobler	BSpitzberg	WMaier	GMorell	TCombs
MWoods	DHiggs	SRohrer	KMcConnell	GHatchett	OSRs

ML041800639

*See Previous Concurrence

OFC	HLWRS		HLWRS		HLWRS		OGC		HLWRS	
NAME	KChang*		DDancer*		KStablein*		JMoore*		CWReamer	
DATE	06/29/04		06/29/04		06/29/04		07/07/04		08/3/04	