



**Department of Energy**  
Office of Civilian Radioactive Waste Management  
Office of Repository Development  
1551 Hillshire Drive  
Las Vegas, NV 89134-6321

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*Darlene Higer*

**OVERNIGHT MAIL**

J. M. McKenzie, Acting Director Regulatory Affairs  
Naval Nuclear Propulsion Program  
Department of the Navy  
Naval Sea Systems Command  
1333 Isaac Hull Avenue SE  
Washington Navy Yard, DC 20376-0001

**PROTOCOL FOR NAVAL NUCLEAR PROPULSION PROGRAM (NNPP) AND OFFICE OF CIVILIAN RADIOACTIVE WASTE MANAGEMENT (RW) INTERACTIONS WITH THE U.S. NUCLEAR REGULATORY COMMISSION (NRC) REGARDING THE NAVAL SPENT NUCLEAR FUEL INFORMATION IN THE NNPP TECHNICAL SUPPORT DOCUMENT (TSD) FOR THE YUCCA MOUNTAIN LICENSE APPLICATION (LA)**

The enclosed protocol defines roles and responsibilities for the NNPP and RW with respect to the conduct of interactions with NRC on the NNPP TSD. Preparation of this protocol was a collaborative effort between NNPP and RW staff and managers responsible for interactions with the NRC, and is consistent with the *DOE/NRC Agreement Between DOE/OCRWM and NRC/NMSS Regarding Prelicensing Interactions*.

The objective of the protocol is to ensure that interactions with NRC on the LA concerning matters associated with naval spent nuclear fuel are consistent with RW's role as the DOE integrator and applicant for the LA, and with NNPP's responsibilities as the technical experts on naval spent nuclear fuel. The protocol ensures that access to classified information is limited to persons with the appropriate clearances and a need to know.

We look forward to continuing our productive relationship with the NNPP as we develop and submit the LA to the NRC. Please contact me at (702) 794-1300 or Joe C. Price at (702) 794-1441 if you have questions on the protocol.

*W. John Arthur, III*

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Deputy Director

OLA&S:JCP-1169

Enclosure:  
As stated

NMSS07

Rec'd  
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cc w/encl:

C. W. Reamer, NRC, Rockville, MD  
Margaret Chu, DOE/HQ (RW-1), FORS  
T. J. Garrish, DOE/HQ (RW-2E), FORS  
G. W. Hellstrom, DOE/HQ (GC-52), Las Vegas, NV  
C. A. Kouts, DOE/HQ (RW-20E), FORS  
J. N. Bailey, BSC, Las Vegas, NV  
BSC CCU Administrator, BSC, Las Vegas, NV  
Donald Beckman, BSC, Las Vegas, NV  
CMS Coordinator, BSC, Las Vegas, NV  
S. J. Cereghino, BSC, Las Vegas, NV  
S. K. Clark, BSC, Las Vegas, NV  
N. H. Williams, BSC, Las Vegas, NV  
J. N. Follin, Bettis Atomic Power Laboratory, West Mifflin, PA  
D. G. Franklin, Naval Reactors, Las Vegas, NV  
W. J. Arthur, III, DOE/ORD (RW-2W), Las Vegas, NV  
W. J. Boyle, DOE/ORD (RW-40W), Las Vegas, NV  
R. L. Craun, DOE/ORD (RW-60W), Las Vegas, NV  
J. T. Gardiner, DOE/ORD (RW-60W), Las Vegas, NV  
A. V. Gil, DOE/ORD (RW-40W), Las Vegas, NV  
T. C. Gunter, DOE/ORD (RW-40W), Las Vegas, NV  
C. L. Hanlon, DOE/ORD (RW-40W), Las Vegas, NV  
P. G. Harrington, DOE/ORD (RW-60W), Las Vegas, NV  
K. D. Lachman, DOE/ORD (RW-60W), Las Vegas, NV  
S. P. Mellington, DOE/ORD (RW-50W), Las Vegas, NV  
C. M. Newbury, DOE/ORD (RW-40W), Las Vegas, NV  
K. W. Powers, DOE/ORD (RW-2W), Las Vegas, NV  
J. C. Price, DOE/ORD (RW-40W), Las Vegas, NV  
S. L. Rives, DOE/ORD (RW-2W), Las Vegas, NV  
P. F. Sanchez-Bartz, DOE/ORD (RW-2W), Las Vegas, NV  
M. C. Tynan, DOE/ORD (RW-40W), Las Vegas, NV  
J. D. Ziegler, DOE/ORD (RW-40W), Las Vegas, NV  
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**PROTOCOL FOR NAVAL NUCLEAR PROPULSION PROGRAM (NNPP) AND  
OFFICE OF CIVILIAN RADIOACTIVE WASTE MANAGEMENT (RW)  
INTERACTIONS WITH THE U.S. NUCLEAR REGULATORY COMMISSION (NRC)  
STAFF REGARDING NAVAL SPENT NUCLEAR FUEL INFORMATION IN  
THE NNPP TECHNICAL SUPPORT DOCUMENT  
FOR THE YUCCA MOUNTAIN LICENSE APPLICATION**

**Purpose:** This protocol defines how interactions with NRC staff will occur on matters concerning naval spent nuclear fuel information in the NNPP Technical Support Document (TSD) supporting the License Application (LA) for the Yucca Mountain Repository during both the pre-LA and post-LA periods. Because of the nature of naval spent nuclear fuel, most of this information is classified as CONFIDENTIAL-RESTRICTED DATA and, therefore, access to it must be limited and controlled.

**Objective:** This protocol ensures that interactions with NRC staff on the LA concerning matters associated with naval spent nuclear fuel are consistent with RW's role as the DOE integrator and applicant for the LA and as NRC staff's point of contact for LA matters. This protocol also describes responsibilities of NNPP to ensure that technical issues concerning naval spent nuclear fuel are dealt with by NNPP as the technical expert and statutorily responsible agency for such matters and in such a way as to limit access to classified information to persons with a need to know.

**Definitions:**

**RW:** The abbreviation for DOE's Office of Civilian Radioactive Waste Management. RW is the lead DOE office for preparation of the LA and is the primary interface with NRC staff.

**NNPP:** The Naval Nuclear Propulsion Program, a joint DOE-Navy Program with federal statutory responsibility for all naval nuclear propulsion matters, including disposition of naval spent nuclear fuel. Within the DOE, the NNPP exists as the Office of Naval Reactors within the National Nuclear Security Administration.

**TSD:** Technical Support Document; a classified supporting document for the LA, prepared by NNPP, which contains details of the analysis of the performance of naval spent nuclear fuel under a variety of repository conditions. The TSD is the basis for general, unclassified conclusions regarding naval spent nuclear fuel in the LA.

**Protocol:**

**1. Responsibility for the TSD:**

NNPP is the technical expert on naval spent nuclear fuel and is responsible for the content of the TSD. RW is responsible for reviewing the TSD for integration with the LA and for verifying that the results of the analyses documented in the TSD support the unclassified conclusions about naval spent nuclear fuel in the LA.

## 2. Classified Meetings with NRC staff:

- a. NNPP may discuss with NRC staff the need for classified meetings to provide information on the development of the TSD during the pre-LA period and to resolve matters associated with NRC staff's review of the TSD during the post-LA period. Either NNPP or NRC staff may initiate such discussions. NNPP will coordinate RW participation in these discussions with RW.
- b. Once a consensus is reached to hold a classified meeting, NNPP will coordinate with RW and work with NRC staff to establish meeting details, including schedule, agenda, and attendees. RW will participate in meetings between NNPP and NRC staff in their role as overall LA integrator and applicant.
- c. Once meeting details are established, RW will coordinate with NNPP and work with NRC staff to finalize and integrate meeting plans into the overall scope and schedule of planned interactions with NRC staff on the LA. Such interactions will be noticed in accordance with NRC's Open Meeting Policy (67 FR 36920, May 28, 2002).

## 3. Communication with NRC staff outside of meetings:

Written exchanges, such as meeting reports or substantive questions or answers regarding the TSD, will be coordinated with RW as the LA integrator and applicant, subject to the following provisions to ensure proper handling of classified correspondence:

- (1) RW will request that classified correspondence from NRC staff to DOE regarding the TSD be prepared as an attachment sent to NNPP Headquarters and to the NNPP – Las Vegas Resident Office where it will be accessible to RW staff possessing the required clearances and having a need to access the information. In addition, RW will request NRC staff to address a copy of the unclassified cover letter, without the classified attachment, to the standard RW points of contact for correspondence according to their mail distribution list.
- (2) Responses to classified NRC staff correspondence on the TSD will be provided by RW in the following manner: RW will provide an unclassified cover letter to NRC staff, and NNPP will provide the classified attachment which has been reviewed for integration with the LA by RW staff holding an appropriate security clearance.

## 4. Other Matters:

Other matters of an administrative nature which may from time to time arise in the course of facilitating NRC staff review of the TSD (e.g., security clearance matters, radiation exposure reports associated with an NRC staff trip to an NNPP facility) will be handled between NNPP and NRC staff.

5. Points of Contact Between NNPP, RW:

NNPP and RW will establish respective points of contact and alternates to discuss matters described in this protocol and to expedite resolution of such matters.

Addresses for points of contact for this protocol are as follows:

Director, Office of License Application and Strategy  
Office of Repository Development  
Office of Civilian Radioactive Waste Management  
U.S. Department of Energy  
1551 Hillshire Drive  
Las Vegas, NV 89134

Director, Regulatory Affairs  
Naval Nuclear Propulsion Program  
Department of the Navy  
Naval Sea Systems Command, Code 08U  
1240 Isaac Hull Avenue, SE STOP 8036  
Washington Navy Yard, DC 20376-8036

6. Mailing addresses for classified NRC Correspondence:

Classified NRC correspondence regarding the TSD will be sent to the Director, Regulatory Affairs at the above address with an additional copy to:

Manager, NNPP - Las Vegas Resident Office  
P.O. Box 370663  
Las Vegas, NV 89137-0663