



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555 - 0001

July 2, 2004

Mr. W. John Arthur III
Deputy Director
Office of Civilian Radioactive Waste Management
U.S. Department of Energy
1551 Hillshire Drive
North Las Vegas, Nevada 89134-6321

Subject: Licensing Support Network (LSN) Access Controls Subsequent to Initial Certification

Dear Mr. Arthur:

On June 30, 2004, the Department of Energy (DOE) submitted a certification of document availability pursuant to 10 C.F.R. Part 2, Subpart J. That certification requested that the LSN not open access to the DOE document collection server until such time as we had completed processing deletions to the indexes already built by the LSN. We were informed this morning by Harry Leake, DOE's Licensing Support Network Project Manager, that it appeared to him there were no more DOE deletions to be performed relative to already indexed material.

Previously, I had advised DOE technical staff that upon completion of all deletions, we would begin an integrity checking process, which is necessary because up to this point all indexing and deletion transactions for DOE materials have been performed "blind" consistent with DOE's request that information not be made available until DOE's certification. As part of the process, we would need access to the DOE collection server. We informed Mr. Leake during that same phone discussion that we were ready to commence final testing before turning off the block on public access to the DOE collection. He advised us, however, that access to the DOE collection server currently is not available due to concerns about the inadvertent release via that server of documentary material intended to be covered by privilege or privacy claims. Accordingly, it appears that the search and retrieval interface DOE has chosen to place on its document collection, which is outside the purview of the LSN Administrator, could now delay our ability to make DOE documents available via the LSN.

We intend to make the currently indexed DOE document collection available via the LSN by noon Eastern Time (ET), July 3, 2004, regardless of the operational status of the DOE document collection server. The LSN site will provide search and retrieval capabilities based on what already has been indexed and the capabilities of the software. If DOE text and image files are not available because of continued unavailability of its collection server, an error message likely will be generated. Conversely, if the DOE server does become available sometime between now and noon ET tomorrow, we will undertake that portion of our planned integrity checking with the goal of making the currently indexed collection available in the near term.

Finally, I would note that with its June 30, 2004 certification, any further DOE request for deletion of LSN-indexed documents should be made in accordance with LSN Guideline 14, section 14.5, Additional Participant Responsibilities.

Sincerely,

/RA/

Daniel J. Graser

LSN Administrator

Atomic Safety and Licensing Board Panel

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