

February 14, 2005

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

SUBJECT: PRE-LICENSING EVALUATION OF KEY TECHNICAL ISSUE AGREEMENT:  
TOTAL SYSTEM PERFORMANCE ASSESSMENT AND INTEGRATION 3.16

Dear Mr. Ziegler:

In a letter dated August 9, 2004, the U.S. Department of Energy (DOE) submitted a response to an agreement item reached between DOE and the U.S. Nuclear Regulatory Commission (NRC) for the Key Technical Issue Total System Performance Assessment and Integration (TSPA) 3.16.

The NRC staff has reviewed DOE's response to the agreement item TSPA.3.16. Based on our review of the information provided, and notwithstanding new information that could revise other questions or comments concerning this item, NRC staff considers this agreement closed, and we have no further questions at this time. Results of our review are provided in the attachment to this letter. Although this agreement is considered closed, please note that NRC will make its final determination on any issues relevant to licensing during review of any License Application.

If you have any questions please contact Daniel S. Rom, of my staff, at (301) 415-6704 or by e-mail at [DSR@nrc.gov](mailto:DSR@nrc.gov).

Sincerely,

/RA/

Lawrence E. Kokajko, Deputy Director  
Division of High-Level Waste Repository Safety  
Office of Nuclear Material Safety  
and Safeguards

Enclosure:

The U.S. NRC NMSS Review of DOE's Agreement Responses Related to the Potential Geologic Repository at YM, NV: KTI Agreement TSPA.3.16

cc: See attached list.

Letter to J. D. Ziegler from L. E. Kokajko, dated: February 14, 2005

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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.
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S. Frishman, State of NV	M. Voegele, BSC/SAID
S. Lynch, State of NV	B. Helmer, Timbisha Shoshone Tribe
P. Guinan, Legislative Counsel Bureau	R. Boland, Timbisha Shoshone Tribe
R. Clark, EPA	R. Arnold, Pahrump Paiute Tribe
R. Anderson, NEI	J. Birchim, Yomba Shoshone Tribe

cc: (Continued)

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S. Kraft, NEI

J. Kessler, EPRI

D. Duncan, USGS

R. Craig, USGS

W. Booth, Engineering Svcs, LTD

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

A. Robinson, Robinson-Seidler

M. Dayton, City of Las Vegas

D. Wilson, Sen. Reid's Office

L. Lehman, T-REG, Inc.

J. Donnell, DOE/ORD

R. L. Craun, OPM&E

B. Gattoni, Burns & Roe

R. Murray, DOE/ORD

R. Holden, NCAI

C. Meyers, Moapa Paiute Indian Tribe

R. Wilder, Fort Independence Indian Tribe

D. Vega, Bishop Paiute Indian Tribe

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J. Leeds, Las Vegas Indian Center

J. C. Saulque, Benton Paiute Indian Tribe

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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

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M. Henderson, Cong. J. Gibbon's Office

D. Duquette, NWTRB

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Office of Nuclear Material Safety  
and Safeguards

Enclosure:

The U.S. NRC NMSS Review of DOE's Agreement Responses Related to the Potential Geologic Repository at YM, NV: KTI Agreement TSPA1.3.16

cc: See attached list.

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