

December 29, 2004

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

SUBJECT: PRE-LICENSING EVALUATION OF CONTAINER LIFE AND SOURCE TERM AGREEMENTS CLST.1.14, 2.08 and 2.09 IN "TECHNICAL BASIS DOCUMENT NUMBER 6, WASTE PACKAGE AND DRIP SHIELD CORROSION"

Dear Mr. Ziegler:

In a letter dated December 9, 2003, the U.S. Department of Energy (DOE) submitted, "Technical Basis Document (TBD) No. 6: Waste Package and Drip Shield Corrosion." In this letter, DOE responded to questions raised by the U.S. Nuclear Regulatory Commission (NRC) concerning the environmental degradation of the waste package and drip shield materials and to respond to issues raised by the NRC related to corrosion processes, and the design of the waste package and drip shield at the potential repository at Yucca Mountain, Nevada. Agreements CLST.1.14, 2.08 and 2.09 are addressed in this technical basis document.

NRC staff has reviewed DOE's responses to these agreements. Based on our review of the information provided, NRC staff considers the pre-licensing activities associated with these agreements to be closed. Results of our review and specific feedback on DOE's responses are provided in the enclosure to this letter.

Although these agreements are 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 regarding this matter, please contact Dan Rom of my staff at (301) 415-6704 or by e-mail to 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:

NMSS Review of the U.S. DOE KTI Agreement Responses to CLST.1.14, 2.08, AND 2.09 for a Potential Geologic Repository at Yucca Mountain, NV

cc: See attached list

Letter to J.D. Ziegler from L.E. Kokajko, dated: December 29, 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.
R. Damele, Eureka County, NV	C. Einberg, DOE/Washington, D.C.
L. Marshall, Eureka County, NV	S. Gomberg, DOE/Washington, D.C.
A. Johnson, Eureka County, NV	W. J. Arthur, III , DOE/ORD
A. Remus, Inyo County, CA	R. Dyer, DOE/ORD
M. Yarbrow, Lander County, NV	J. Ziegler, DOE/ORD
S. Hafen, Lincoln County, NV	A. Gil, DOE/ORD
M. Baughman, Lincoln County, NV	W. Boyle, DOE/ORD
L. Mathias, Mineral County, NV	D. Brown, DOE/OCRWM
D. Swanson, Nye County, NV	S.A. Wade,, DOE/ORD
M. Maher, Nye County, NV	C. Hanlon, DOE/ORD
D. Hammermeister, Nye County, NV	T. Gunter, DOE/ORD
M. Simon, White Pine County, NV	A. Benson, DOE/ORD
J. Ray, NV Congressional Delegation	N. Hunemuller, DOE/ORD
B. J. Vonderheide, NV Congressional Delegation	R. L. Craun, DOE/ORD
T. Story, NV Congressional Delegation	M. Mason, BSC
R. Herbert, NV Congressional Delegation	S. Cereghino, BSC
M. Murphy	N. Williams, BSC
S. Joya, NV Congressional Delegation	E. Mueller, BSC
K. Kirkeby, NV Congressional Delegation	J. Mitchell, BSC
R. Loux, State of NV	D. Beckman, BSC/B&A
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)

R. McCullum, NEI

S. Kraft, NEI

J. Kessler, EPRI

D. Duncan, USGS

R. Craig, USGS

W. Booth, Engineering Svcs, LTD

C. Marden, BNFL Inc.

J. Bacocho, 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

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

L. Alfano, Lincoln County

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

D. Duquette, NWTRB

