

February 18, 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 AGREEMENTS:  
CONTAINER LIFE AND SOURCE TERM 2.01 AND 2.02

Dear Mr. Ziegler:

This letter is in reference to Container Life and Source Term (CLST) Key Technical Issue (KTI) Agreements CLST.2.01 and 2.02. The U.S. Department of Energy (DOE) responded to KTI Agreement CLST.2.02 in Technical Basis Document No. 6 and Appendix K. DOE responded to KTI Agreement CLST.2.01 in a stand alone document.

The U.S. Nuclear Regulatory Commission (NRC) staff has reviewed DOE's responses to these agreements. Based on our review of the information provided, NRC staff considers precicensing activities associated with these agreements to be closed. Results of our review and 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.

In accordance with 10 CFR 2.390 of the NRC's "Rules of General Applicability," a copy of this letter will be available electronically in the NRC Public Document Room or from the Publically Available Records component of the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions regarding this matter please contact, Daniel S. Rom of my staff, at (301) 425-6704 or by email 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 KTI Agreement Responses Related to the Potential Geologic Repository at YM, NV: CLST.2.01 and 2.02

cc: See attached list.

Letter to J. D. Ziegler from L. E. Kokajko, dated: February 18, 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.
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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

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R. Craig, USGS

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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

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R. Holden, NCAI

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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

C. Bradley, Kaibab Band of Southern Paiutes

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D. Buckner, Ely Shoshone Tribe

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H. Jackson, Public Citizen

J. Wells, Western Shoshone National Council

D. Crawford, Inter-Tribal Council of NV

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Sincerely,  
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Lawrence E. Kokajko, Deputy Director  
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Office of Nuclear Material Safety  
and Safeguards

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