

March 4, 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:  
EVOLUTION OF THE NEAR-FIELD ENVIRONMENT 2.18

Dear Mr. Ziegler:

By a letter dated May 27, 2004, the U.S. Department of Energy (DOE) submitted the informational needs of key technical issue (KTI) Agreement Evolution of the Near-Field Environment (ENFE) 2.18. The U.S. Nuclear Regulatory Commission (NRC) staff reviewed the information provided in the document to determine whether DOE's responses satisfy the intent of the KTI Agreement. Based on our review of the information provided, NRC staff considers Agreement ENFE.2.18 closed and has no further questions at this time.

Results of our review are provided in the enclosure to this letter. Although the agreement is considered closed, please note that NRC staff will make its final determination on any issues relevant to licensing during review of any License Application.

Finally, in accordance with 10 CFR 2.390 of the NRC's "Rules of General Applicability," a copy of this letter and its enclosure will be available electronically in the NRC Public Document Room or from the Publically Available Records component of the NRC's document system (ADAMS). The ADAMS package accession number is ML050460318. 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) 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 the U.S. DOE's KTI Agreement Responses Related to the Proposed Geologic Repository at YM, NV: ENFE.2.18

cc: See attached list.

Letter to J. D. Ziegler from L. E. Kokajko, dated: March 4, 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
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R. Anderson, NEI	J. Birchim, Yomba Shoshone Tribe

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G. Hernandez, Las Vegas Paiute Tribe

K. Finrock, NV Congressional Delegation

P. Johnson, Citizen Alert

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J. Williams, DOE/Washington, DC

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D. Wilson, Sen. Reid's Office

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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

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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

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

D. Duquette, NWTRB

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**ML050460318**

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