

March 23, 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 3.10

Dear Mr. Ziegler:

This letter is in reference to Key Technical Issue (KTI) Agreement Total System Performance Assessment and Integration (TSPAI) 3.10. The U.S. Department of Energy (DOE) responded to the KTI agreement in an enclosure to a letter dated August 12, 2004.

The U.S. Nuclear Regulatory Commission (NRC) staff has reviewed DOE's response to this agreement. Based on our review of the information provided, NRC staff considers agreement TSPAI.3.10 complete 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 complete, NRC will make its final determination on any issues relevant to licensing during review of any potential License Application.

In accordance with 10 Code of Federal Regulations 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 Agencywide Documents Access and Management 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) 415-6704 or by e-mail at 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 Response Related to the Potential Geologic Repository at YM, NV: TSPAI.3.10

cc: See attached list.

Letter to J. D. Ziegler from L. E. Kokajko, dated: March 23, 2005

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.
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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
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T. Story, NV Congressional Delegation	M. Mason, BSC
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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. Voegelé, 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

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J. Kessler, EPRI

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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.

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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

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