



Department of Energy
Office of Civilian Radioactive Waste Management
Office of Repository Development
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QA: N/A
Project No. WM-00011

SEP 14 2005

OVERNIGHT MAIL

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CLARIFICATION OF ACTION FROM THE U.S. DEPARTMENT OF ENERGY (DOE)
MAY 29, 2003, LETTER TO THE U.S. NUCLEAR REGULATORY COMMISSION (NRC)
CONCERNING THE YUCCA MOUNTAIN PROJECT (PROJECT)

- References: (1) Ltr, Chu to Virgilio, dtd 5/29/03 (Response to Details of Actions Requested)
(2) Ltr, Ziegler to Chief, High-Level Waste Branch (NRC), dtd 10/29/03 (Status of Actions Concerning May 29, 2003, Letter)
(3) Ltr, Ziegler to Director, High-Level Waste Repository Safety (NRC), dtd 1/26/05 (Status of Remaining Actions from DOE May 29, 2003, Letter)

In Reference 1, DOE provided "details of actions being taken to ensure that our License Application meets NRC expectations for completeness, accuracy, and compliance with quality assurance requirements." Reference 2 provided the status of these actions.

This letter is to clarify the description of the Correction Action Program (CAP) with respect to causal analysis for Level C Condition Reports (CR). Reference 2 states, in the last paragraph of Enclosure 1 under the status for Action No. 6, "The category determines the level of causal analysis that is performed with root cause analysis required for Level A, apparent cause for Level B and C, no cause analysis for Level D (opportunities for improvement)." For clarification, an "apparent cause" analysis is not performed for all Level C CRs. An "apparent cause" analysis is performed for Level C CRs only if requested by management.

Additionally, with respect to the CAP, Reference 1, page 3, states, in part, that "Goals under this improved program will be to prepare and approve 90 percent of corrective actions within 30 days of initiation for deficiency reports (DRs) [now called Level B and C CRs] and corrective action reports (CARs) [now called Level A CRs]; to complete corrective actions for DRs in fewer than 60 days on average; and to complete the corrective actions for CARs in fewer than 100 days on average." Reference 2 identified this as "Action No. 7." Reference 3 provides an updated status of "Action No. 7" for Level A CRs. Based upon the current CAP baseline and benchmarking against nuclear utilities, the goals for Level B and C CRs are being revised as follows:

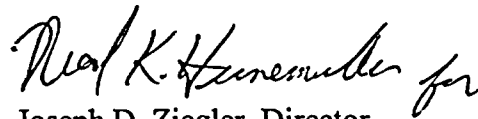
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1. Level B and C conditions adverse to quality (CAQ) CR corrective actions plans will be prepared and approved, on average, within 30 days of issuance;
2. Timeliness for closure of Level B and C CAQ CRs will be measured against scheduled completion dates established in approved CR action plans.

These revisions to the CAP goals for Level B and C CRs improve the Office of Civilian Radioactive Waste Management's ability to address the specific scope and complexity of the issues in those CRs, and integrate with previously scheduled activities an appropriate schedule for closure of the CR. Project benchmarking assessments also indicate that these revisions are more closely aligned with nuclear industry practices.

There are no new regulatory commitments in the body of this letter. Please direct any questions concerning this letter to Neal K. Hunemuller at (702) 794-5081 or e-mail neal_hunemuller@ymp.gov, or April V. Gil at (702) 794-5578 or e-mail april_gil@ymp.gov.



Joseph D. Ziegler, Director
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OLA&S:NKH-1647

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