

June 5, 2006

Mr. Mark H. Williams, Director  
Office of License Application and Strategy  
Office of Repository Development  
U. S. Department of Energy  
1551 Hillshire Drive  
Las Vegas, NV 89134-6321

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION OBSERVATION AUDIT  
REPORT NO. OAR-06-04, OBSERVATION AUDIT OF THE U.S.  
DEPARTMENT OF ENERGY, OFFICE OF CIVILIAN RADIOACTIVE WASTE  
MANAGEMENT, OFFICE OF QUALITY ASSURANCE, AUDIT OF QUALITY  
ASSURANCE PROGRAM IMPLEMENTATION AT THE LAWRENCE  
LIVERMORE NATIONAL LABORATORY, AUDIT OQA-LLNL-06-19.

Dear Mr. Williams:

Enclosed is the U.S. Nuclear Regulatory Commission (NRC) Observation Audit Report (OAR-06-04) of the Department of Energy (DOE) Audit OQA-LLNL-06-19, conducted on May 1-5, 2006, at the Lawrence Livermore National Laboratory (LLNL) in Livermore, California.

The DOE audit team evaluated the adequacy, implementation, and effectiveness of the of the quality assurance (QA) program requirements, applicable to the LLNL activities, that provide data or support for the planned Yucca Mountain Repository License Application. At the conclusion of the audit, the DOE audit team presented its findings at an exit briefing with DOE and LLNL management. Based on the results of its evaluations, the DOE audit team's conclusion was that the overall implementation of the DOE QA program requirements of audited activities was satisfactory. In addition, the DOE audit team found that LLNL satisfactorily and effectively implemented the examined sections of the DOE Quality Assurance Requirements and Description (QARD) document, Revision 16, with one minor exception.

NRC conducted an audit observation of DOE's audit, in accordance with NRC Manual Chapter 2410, "Conduct of Observation Audits." The NRC staff member observed the DOE audit team members performing the audit, and concluded that LLNL had effectively implemented the requirements of DOE's QARD for the sample of activities audited. The NRC staff member also concluded that the DOE audit team planned and performed the audit adequately, and in accordance with the requirements of DOE's QARD.

On January 9, 2006, NRC issued an OAR-05-05, which documented apparent non-compliances with QARD requirements for the calibration of measurement and test equipment and for corrective actions at LLNL. The assessment and follow-up to OAR-05-05 was outside the scope of the DOE audit documented in the enclosed report.

Mark H. Williams

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Written responses to this letter and the enclosed report are not required. The staff will continue to interface with DOE and follow the action that you take to address the issues identified during this audit. If you have any questions, please contact Wilkins Smith, at 301-415-5788.

Sincerely,

***/RA/***

Elmo E. Collins, Deputy Director  
Licensing and Inspection Directorate  
Division of High-Level Waste Repository Safety  
Office of Nuclear Material Safety  
and Safeguards

Enclosure:

U.S. Nuclear Regulatory Commission  
Observation Audit Report No. OAR-06-04,  
Observation Audit of the U.S. Department  
of Energy, Office of Civilian Radioactive  
Waste Management, Office of Quality  
Assurance, Audit of Quality Assurance  
Program Implementation at the Lawrence  
Livermore National Laboratory, Audit  
OQA-LLNL-06-19.

cc: See Attached List

Letter to Mark H. Williams from Elmo Collins  
cc:

dated: June 5, 2006

A. Kalt, Churchill County, NV  
R. Massey, Churchill/Lander County, NV  
I. Navis, Clark County, NV  
E. von Tiesenhausen, Clark County, NV  
G. McCorkell, Esmeralda County, NV  
R. Damele, Eureka County, NV  
L. Marshall, Eureka County, NV  
A. Johnson, Eureka County, NV  
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M. Yarbro, Lander County, NV  
J. Donnell, DOE/ORD  
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D. Cornwall, NV Congressional Delegation  
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M. Murphy, Nye County, NV  
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K. Kirkeby, NV Congressional Delegation  
R. Loux, State of NV  
S. Frishman, State of NV  
S. Lynch, State of NV  
P. Guinan, Legislative Counsel Bureau  
R. Clark, EPA  
R. Anderson, NEI

A. Elzeftawy, Las Vegas Paiute Tribe  
J. Treichel, Nuclear Waste Task Force  
W. Briggs, Ross, Dixon & Bell  
R. Murray, DOE/ORD  
G. Runkle, DOE/Washington, D.C.  
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S. Gomberg, DOE/Washington, D.C.  
W. J. Arthur, III, DOE/ORD  
R. Dyer, DOE/ORD  
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A. Gil, DOE/ORD  
W. Boyle, DOE/ORD  
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E. Mueller, BSC  
J. Gervers, Clark County, NV  
D. Beckman, BSC/B&A  
L. Rasura-Alfano, Lincoln County, NV  
J. Kennedy, Timbisha Shoshone Tribe  
B. Durham, Timbisha Shoshone Tribe  
R. Arnold, Pahrump Paiute Tribe  
J. Birchim, Yomba Shoshone Tribe

cc: (Continued)

R. McCullum, NEI

S. Kraft, NEI

J. Kessler, EPRI

D. Duncan, USGS

K. Skipper, 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

M. Williams, DOE/ORD

J. Williams, DOE/Washington, DC

A. Robinson, Robinson-Seidler

M. Plaster, City of Las Vegas

S. Rayborn, Sen. Reid's Office

L. Lehman, T-REG, Inc.

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T. Feigenbaum, BSC

M. Urie, DOE

J. Brandt, Lander County

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C. Meyers, Moapa Paiute Indian Tribe

R. Wilder, Fort Independence 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

G. Hudlow

D. Irwin, Hunton & Williams

P. Golan, DOE

M. Rice, Lincoln County, NV

G. Hellstrom, DOE

S. Joya, Sen. Ensign's Office

Mark H. Williams

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Elmo E. Collins, Deputy Director  
Licensing and Inspection Directorate  
Division of High-Level Waste Repository Safety  
Office of Nuclear Material Safety  
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Waste Management, Office of Quality  
Assurance, Audit of Quality Assurance  
Program Implementation at the Lawrence  
Livermore National Laboratory, Audit  
OQA-LLNL-06-19.

cc: See Attached List

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