

March 6, 2007

Ms. Judy Treichel, Executive Director  
Nevada Nuclear Waste Task Force, Inc.  
P.O. Box 26177  
Las Vegas, NV 89126

Dear Ms. Treichel:

I am writing in response to your letter dated December 12, 2006, in which you proposed that a public meeting be held with the parties that would play a role in the U.S. Department of Energy's (DOE) proposed utilization of the Transportation, Aging, and Disposal (TAD) canister as part of a high-level radioactive waste (HLW) disposal system. As your letter indicated, the purpose of the meeting would be for the involved parties, including the U. S. Nuclear Regulatory Commission (NRC), to explain their roles and responsibilities so that any potential concerns with the TAD canister could be identified and addressed in a timely fashion.

NRC presented some licensing perspectives on use of a TAD canister at the NRC/DOE Technical Exchange on August 29, 2006. Since then, DOE has released its "Preliminary Transportation, Aging, and Disposal System Performance Specification" (Revision B). NRC staff intends to submit comments to DOE on certain aspects of the preliminary performance specifications that may need additional consideration under the separate licensing frameworks for interim storage, transportation, and disposal. These comments will be provided to you and other stakeholders, and will be publicly available in ADAMS, when they are sent to DOE.

We recognize the value of additional public meetings on the TAD concept and its use in the proposed HLW disposal system. However, we believe that DOE, coordinating with the nuclear industry, should have the lead in setting up public meetings aimed at discussing the role of the TAD canister in their potential application for a waste repository, as well as applications for use in transportation and interim storage. NRC staff would be willing to support such public meetings.

Several sessions on the TAD canister are scheduled as part of the Nuclear Energy Institute (NEI) Dry Cask Information Forum, which will take place May 15-17, 2007, in Clearwater Beach, Florida. NRC staff plan to participate in a panel session that will be discussing the TAD canister concept, its implementation, and the licensing process. We understand that NEI has invited to this meeting representatives from the State of Nevada, the affected units of local government, and the Nevada Nuclear Waste Task Force, as well as those from NRC, DOE, the nuclear power utilities, and cask vendors. We hope that bringing these parties together at the meeting can help address the concerns expressed in your letter.

J. Treichel

- 2 -

Please feel free to contact me by telephone at (301) 415-5265, or by e-mail at [bjb@nrc.gov](mailto:bjb@nrc.gov), if you have any questions about developments concerning TAD-related interactions.

Sincerely,

***/RA/***

Brian Benney  
Senior Project Manger  
Division of High-Level Waste Repository Safety  
Office of Nuclear Material Safety  
and Safeguards

cc: See enclosed list.

Letter to J. Treichel from B. Benney dated: March 6, 2007

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	R. Murray, DOE/OCRWM
G. McCorkell, Esmeralda County, NV	G. Runkle, DOE/Washington, D.C.
R. Damele, Eureka County, NV	S. Bokhari, DOE/RW
L. Marshall, Eureka County, NV	S. Gomberg, DOE/Washington, D.C.
A. Johnson, Eureka County, NV	D. Curran, Harmon, Curran, Spielberg & Eisenberg, L.L.P.
S. Schubert, Sen. Reid's Office	R. Dyer, DOE/OCRWM
M. Yarbrow, Lander County, NV	J. Espinoza, GAO
J. Donnell, DOE/OCRWM	A. Gil, DOE/OCRWM
M. Baughman, Lincoln County, NV	W. Boyle, DOE/OCRWM
L. Mathias, Mineral County, NV	M. Ulshafer, DOE/OCRWM
J. Saldarini, BSC	S.A. Wade, DOE/OCRWM
M. Henderson, Cong. J. Gibbon's Office	C. Hanlon, DOE/OCRWM
D. Swanson, Nye County, NV	T. Gunter, DOE/OCRWM
M. Simon, White Pine County, NV	A. Benson, DOE/OCRWM
E. Sproat, DOE/OCRWM	N. Hunemuller, DOE/OCRWM
D. Cornwall, NV Congressional Delegation	P. Harrington, OPM&E
T. Story, NV Congressional Delegation	M. Mason, BSC
R. Herbert, NV Sen. Reid's Office	S. Cereghino, BSC
M. Murphy, Nye County, NV	B. Gattoni, Burns & Roe
R. Lambe, NV Congressional Delegation	E. Mueller, Esmeralda County, NV
K. Kirkeby, NV Congressional Delegation	J. Gervers, Clark County, NV
R. Loux, State of NV	D. Beckman, BSC/B&A
S. Frishman, State of NV	J. Raleigh, SNL
S. Lynch, State of NV	J. Kennedy, Timbisha Shoshone Tribe
P. Guinan, Legislative Counsel Bureau	B. Durham, Timbisha Shoshone Tribe
R. Clark, EPA	R. Arnold, Pahrump Paiute Tribe
R. Anderson, NEI	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. Bacoch, 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. Finfrock, NV Congressional Delegation

P. Johnson, Citizen Alert

M. Williams, DOE/OCRWM

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.

B.J. Garrick, NWTRB

T. Feigenbaum, BSC

M. Urie, DOE

J. Brandt, Lander County

R. Holland, Inyo County

B. Sagar, CNWRA

V. Trebules, RW/DOE

R. Warther, DOE/OCRWM

Connie Simkins, Lincoln County

S.A. Orrell, SNL

R. Holden, NCAI

C. Meyers, Moapa Paiute Indian Tribe

C. Dahlberg, Fort Independence Indian Tribe

D. Vega, Bishop Paiute Indian Tribe

Egan, Fitzpatrick, Malsch, PLLC

J. Leeds, Las Vegas Indian Center

J. C. Saulque, Benton Paiute Indian Tribe

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

M. Boyd, 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

M. Gaffney, Inyo County

L. Desell, RW/DOE

R. List, Esmeralda County

B. Neuman, Carter Ledyard & Milburn L.L.P.

E. Bonano, SNL

P. Nair, SNL

J. Treichel

- 2 -

Please feel free to contact me by telephone at (301) 415-5265, or by e-mail at [bjb@nrc.gov](mailto:bjb@nrc.gov), if you have any questions about developments concerning TAD-related interactions.

Sincerely,

**/RA/**

Brian Benney  
Senior Project Manger  
Division of High-Level Waste Repository Safety  
Office of Nuclear Material Safety  
and Safeguards

cc: See enclosed list.

**DISTRIBUTION:** DHLWRS200700002

HLWRS r/f ACNW VMehrhoft CNWRA LChandler MYoung RIrish  
JMoore MZobler TCombs BSpitzberg WMaier DMcIntyre AMauer  
HLWRS Staff

**ML070330126**

OFC	HLWRS	HLWRS	HLWRS
NAME	JRubenstone	SRohrer	NKStablein
DATE	02/5/07	02/6/07	02/6/07

OFC	SFST	OGC	HLWRS	HLWRS
NAME	WRuland	JMoore	AMohseni	BBenney
DATE	02/16/07	02/28/07	02/28/07	03/6/07

OFFICIAL RECORDS COPY