



Department of Energy
Office of Civilian Radioactive Waste Management
1551 Hillshire Drive
Las Vegas, NV 89134-6321

QA: N/A
Project No. WM-00011

JUN 08 2007

OVERNIGHT MAIL

ATTN: Document Control Desk
Director, Division of High-Level Waste
Repository Safety
U.S. Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852-2738

RESPONSE TO U.S. NUCLEAR REGULATORY COMMISSION'S (NRC) COMMENTS ON THE U.S. DEPARTMENT OF ENERGY (DOE) *PRELIMINARY TRANSPORTATION, AGING, AND DISPOSAL CANISTER SYSTEM PERFORMANCE SPECIFICATION*, REVISION B

The DOE appreciates the effort undertaken by the NRC staff to develop comments on the *Preliminary Transportation, Aging, and Disposal Canister System Performance Specification*, Revision B, which were provided in NRC's March 23, 2007, letter to the DOE. After issuance of the final TAD specification, DOE would support an interaction on the NRC's comments that were not directly addressed. The interaction (technical exchange or Appendix 7 visit) would be focused on the bases and justifications proposed to be captured within the License Application (LA), and not specifically the TAD specification itself.

In response to the NRC's referenced comments, DOE is providing the following general responses:

- Many of the NRC staff's comments requested justification, or that a basis for the TAD Performance Specification be provided. A justification or basis is not appropriate for inclusion in this specification, as that is not the purpose of the performance specification. However, appropriate justification will be provided in DOE's forthcoming LA. This includes the NRC comment provided in the cover letter related to the implementation of quality assurance program processes and methods for oversight and verification of loading at reactor sites.
- Several of the NRC staff's comments are under consideration for possible inclusion in the TAD performance specification, and will be evaluated on a case-by-case basis, and appropriately addressed in a TAD performance specification revision.
- Other comments will be addressed by the vendors' applications for Part 71 and Part 72 certifications but will not be addressed in the TAD specification.

NMSS07
NMSS

Director, Division of High-Level
Waste Repository Safety

-2-

JUN 08 2007

Currently, the DOE is in the process of finalizing a revised version of the TAD performance specification. This revised specification will be issued to the vendors in the very near future.

There are no new regulatory commitments in this letter. Please contact Jeffrey R. Williams at (202) 586-9620 or e-mail jeff.williams@rw.doe.gov, or Christopher A. Kouts at (202) 586-1253 or e-mail christopher.kouts@rw.doe.gov for any questions regarding this letter or additional information required.



Mark H. Williams, Director
Regulatory Authority Office

RAO:JRW-1126

JUN 08 2007

cc:

M. G. Bailey, NRC, Rockville, MD
B. J. Benney, NRC, Rockville, MD
A. C. Campbell, NRC, Rockville, MD
J. H. Chen, NRC, Rockville, MD
J. R. Davis, NRC, Rockville, MD
Jack Guttman, NRC, Rockville, MD
R. K. Johnson, NRC, Rockville, MD
David Misenhimer, NRC, Rockville, MD
A. S. Mohseni, NRC, Rockville, MD
J. L. Rubenstone, NRC, Rockville, MD
N. K. Stablein, NRC, Rockville, MD
S. A. Whaley, NRC, Rockville, MD
M. C. Wong, NRC, Rockville, MD
D. B. Spitzberg, NRC, Arlington, TX
L. D. Wert, Jr., NRC, Arlington, TX
R. M. Latta, NRC, Las Vegas, NV
J. D. Parrott, NRC, Las Vegas, NV
M. P. Lee, ACNW, Rockville, MD
M. T. Ryan, ACNW, Rockville, MD
W. C. Patrick, CNWRA, San Antonio, TX
Budhi Sagar, CNWRA, San Antonio, TX
J. R. Egan, Egan, Fitzpatrick, Malsch & Cynkar, Naples, FL
J. H. Kessler, EPRI, Charlotte, NC
M. J. Apted, Monitor Scientific, LLC, Denver, CO
Rod McCullum, NEI, Washington, DC
W. D. Barnard, NWTRB, Arlington, VA
Pat Guinan, State of Nevada, Carson City, NV
R. R. Loux, State of Nevada, Carson City, NV
Alan Kalt, Churchill County, Fallon, NV
Irene Navis, Clark County, Las Vegas, NV
Ed Mueller, Esmeralda County, Goldfield, NV
Ron Damele, Eureka County, Eureka, NV
Susan Cash, Inyo County, Bishop, CA
Chuck Chapin, Lander County, Battle Mountain, NV
Wade Poulsen, Lincoln County, Pioche, NV
Linda Mathias, Mineral County, Hawthorne, NV
David Swanson, Nye County, Pahrump, NV
Clinton Eldridge, White Pine County, Ely, NV
R. I. Holden, National Congress of American Indians, Washington, DC