

# NRC PLAN FOR INTERACTIONS WITH DOE AFTER SUBMISSION OF THE YUCCA MOUNTAIN LICENSE APPLICATION

## 1.0 PURPOSE

- 1.1 This Plan describes how the U.S. Nuclear Regulatory Commission (NRC) Office of Nuclear Material Safety and Safeguards plans to interact with the U.S. Department of Energy (DOE) Office of Civilian Radioactive Waste Management if and when DOE submits a license application (LA) to construct and operate a repository at Yucca Mountain, NV, under 10 CFR Part 63.
- 1.2 Interactions between DOE and NRC will be in accordance with DOE as the “license applicant,” and NRC as the “regulatory agency.”
- 1.3 This Post-LA Interactions Plan supersedes the "*Agreement Between DOE/OCRWM and NRC/NMSS Regarding Prelicensing Interactions*," November 16, 1998.

## 2.0 DEFINITIONS

*Bi-weekly telephone meetings* – Regularly scheduled *interactions* (e.g., Thursday at 1:00 PM Eastern Standard Time) on telephone, or Video Translation Systems, if possible, to discuss issues related to project management. It may include status and schedule of the LA review, NRC Request for Additional Information (RAIs), and DOE responses to RAIs.

*Commitment* - An explicit statement to take a specified action agreed to or volunteered by DOE or NRC. Commitments require action within a specified period, or by a specified date.

*Interactions* – Meetings or telephone conversations conducted between DOE and NRC, open to public observation, subject to the *NRC Policy Statement: Staff Meetings Open to the Public*<sup>1</sup>.

*Quarterly Meetings* – Planned *interactions* conducted approximately every 3 months, or more frequently, if needed, at the management level, to discuss the status of the LA review, NRC RAIs, and DOE responses to RAIs. These meetings will focus on programmatic issues. Verbal commitments, if any, will be documented in accordance with Section 3.3 of this Plan.

*Technical Meetings* – Planned *interactions* conducted at the request of either DOE or NRC, to discuss specific technical areas in the LA, clarification of RAIs, or potential DOE responses to RAIs.

## 3.0 NRC INTERACTIONS PLAN

- 3.1 NRC plans to conduct *interactions* as follows:

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<sup>1</sup> *Enhancing Public Participation in NRC Meetings; Policy Statement*, 67 FR 36920, May 18, 2002.

- a. Quarterly Meetings
- b. Bi-weekly Telephone Meetings
- c. Technical Meetings

3.2 In addition to the interactions described in section 3.1 above, Project Managers at DOE and NRC may interact without public observation, for planning a meeting, or for other administrative issues related to the project management.

3.3 Meetings described in section 3.1 shall have minutes that summarize and document the meeting prepared by NRC. The concise minutes shall include: a) brief summaries of the presentations made and the discussions held; and b) documentation of commitments made at the meetings by either organization. Attachments are to include a list of attendees and copies of presentation materials and any view graphs used at the meeting. Meeting minutes will be made publicly available in Agencywide Documents Access & Management System (ADAMS), except where necessary to protect sensitive or classified information.

3.4 Representatives from the State of Nevada, affected units of local government, any affected Indian tribes, the public, and other interested parties may observe the *interactions*, consistent with security access, logistical arrangements, and safety rules. Such representatives may communicate with the NRC staff after the business portion of the interaction, but before the interaction is adjourned. DOE may respond to representatives' comments, if it chooses to do so.

3.5 Consistent with the *NRC Policy Statement: Staff Meetings Open to the Public*, NRC will provide public notice of all DOE and NRC *interactions*.

3.6 Closed scheduled *interactions* between DOE and NRC may also be held, according to the limited exemptions and circumstances described in the *NRC Policy Statement: Staff Meetings Open to the Public*.

3.7 Both DOE and NRC will identify management points of contact who have signature authority for correspondence to the other organization.