

September 5, 2008

MEMORANDUM TO: Michael F. Weber, Director  
Office of Nuclear Material Safety  
and Safeguards

FROM: Lawrence E. Kokajko, Director **/RA/**  
Division of High-Level Waste Repository Safety  
Office of Nuclear Material Safety  
and Safeguards

SUBJECT: ISSUANCE OF ADOPTION DETERMINATION REPORT FOR  
THE ENVIRONMENTAL IMPACT STATEMENTS RELATED TO  
THE PROPOSED GEOLOGIC REPOSITORY AT YUCCA  
MOUNTAIN, NEVADA

Enclosed for your approval is the "U.S. Nuclear Regulatory Commission Staff's Adoption Determination Report for the U.S. Department of Energy's Environmental Impact Statements for the Proposed Geologic Repository at Yucca Mountain."

In accordance with Section 114(f) of the Nuclear Waste Policy Act, the U.S. Nuclear Regulatory Commission (NRC) must adopt the U.S. Department of Energy's (DOE's) environmental impact statement (EIS) for the proposed repository to "the extent practicable." NRC's regulations that implement this requirement are contained in 10 CFR 51.109.

The staff concludes that it can adopt the EISs, provided further supplementation is prepared on aspects associated with the groundwater analyses. The enclosed report contains a discussion of the staff's adoption review and a description and basis for the staff's conclusions concerning supplementation.

Upon issuance to DOE, you indicate that you have approved the staff's Adoption Determination Report.

Enclosure: "U.S. Nuclear Regulatory Commission Staff's Adoption Determination Report for the U.S. Department of Energy's Environmental Impact Statements for the Proposed Geologic Repository at Yucca Mountain"

CONTACT: Christine L. Pineda, DHLWRS/NMSS  
(301) 492-3154

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