



Department of Energy

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

QA: N/A
Project No. WM-00011

63-01

OCT 03 2008

DOCKET NUMBER 63-001

OVERNIGHT MAIL

Attn: Document Control Desk

Director, Division of High Level Waste
Repository Safety
U.S. Nuclear Regulatory Commission
EBB-2B2
11545 Rockville Pike
Rockville, MD 20852-2738

**NOTIFICATION OF PLAN FOR SUPPLEMENTING THE FINAL ENVIRONMENTAL
IMPACT STATEMENT (FEIS)**

Reference: Ltr, Weber to Sproat, dtd 9/8/08 (Notice of Acceptance for Docketing of the Department of Energy's License Application for Authority to Construct a Geologic Repository at a Geologic Repository Operations Area at Yucca Mountain, Nevada)

On June 3, 2008, the U.S. Department of Energy (DOE) submitted its license application (LA) to the U.S. Nuclear Regulatory Commission (NRC) for a construction authorization for a geologic repository pursuant to Section 114 of the Nuclear Waste Policy Act of 1982, as amended (NWPA). On June 16, 2008, DOE submitted the *Final Supplemental Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, Nevada* (DOE/EIS-0250F-S1) (June 2008) (Repository SEIS). In a letter dated September 8, 2008, the NRC announced its decision to docket the LA. The letter also provided the NRC conclusion regarding adoption of the DOE FEIS and supplements in accordance with Section 114(f)(4) of the NWPA. The NRC staff concluded that it was practicable to adopt the FEIS and supplements prepared by DOE, but that supplementation is needed to address the potential impacts of the proposed action on groundwater and from surface discharges of groundwater.

The purpose of this letter is to inform NRC that DOE will supplement the 2002 FEIS and 2008 Repository SEIS as discussed in the enclosure to the NRC letter dated September 8, 2008. DOE anticipates providing this supplement to the NRC no later than Fall 2009. This action represents a commitment by the DOE.

NM5525

Director, Division of High Level Waste -2-
Repository Safety

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If you have any questions regarding this information, please contact Jeffrey R. Williams at (202) 586-9620, or e-mail jeff.williams@hq.doe.gov.



William J. Boyle, Director
Regulatory Authority Office

RAO:JRW-0005

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