

EDO Principal Correspondence Control

FROM: DUE: 11/03/08

EDO CONTROL: G20080663  
DOC DT: 09/19/08  
FINAL REPLY:

James Salsman

TO:

EDO/OGC/NMSS

FOR SIGNATURE OF :

\*\* GRN \*\*

CRC NO:

Weber, NMSS

DESC:

ROUTING:

Resubmit 2.206 - Yucca Mountain National Storage  
Facility (EDATS: OEDO-2008-0738)

Borchardt  
Virgilio  
Mallett  
Ash  
Ordaz  
Cyr/Burns  
Mensah, NRR  
Marco, OGC  
Cyr, OGC

DATE: 10/02/08

ASSIGNED TO:

CONTACT:

NMSS

Weber

SPECIAL INSTRUCTIONS OR REMARKS:

Ref. G20080537.

**EDATS Number:** OEDO-2008-0738

**Source:** OEDO

## General Information

**Assigned To:** NMSS

**OEDO Due Date:** 11/3/2008 5:00 PM

**Other Assignees:**

**SECY Due Date:** NONE

**Subject:** Resubmit 2.206 - Yucca Mountain National Storage Facility

**Description:**

**CC Routing:** OGC; NRR

**ADAMS Accession Numbers - Incoming:** NONE

**Response/Package:** NONE

## Other Information

**Cross Reference Number:** G20080663, G20080537

**Staff Initiated:** NO

**Related Task:**

**Recurring Item:** NO

**File Routing:** EDATS

**Agency Lesson Learned:** NO

**Roadmap Item:** NO

## Process Information

**Action Type:** 2.206 Review

**Priority:** Medium

**Signature Level:** NMSS

**Sensitivity:** None

**Urgency:** NO

**OEDO Concurrence:** NO

**OCM Concurrence:** NO

**OCA Concurrence:** NO

**Special Instructions:**

## Document Information

**Originator Name:** James Salsman

**Date of Incoming:** 9/19/2008

**Originating Organization:** Citizens

**Document Received by OEDO Date:** 10/2/2008

**Addressee:** EDO/OGC/NMSS

**Date Response Requested by Originator:** 11/3/2008

**Incoming Task Received:** 2.206

## Cathy Jaegers

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**From:** James Salsman [jsalsman@gmail.com]  
**Sent:** Friday, September 19, 2008 5:37 PM  
**To:** Bradley Jones; Bill Borchardt; Mahendra Shah  
**Cc:** OGCMailCenter Resource; Karen.Cyl@nrc.gov; tjldodge50@yahoo.com; Rita Hindin  
**Subject:** Re: Apologies for Misdirected PRM Letter

Dear Mr. Jones,

Thank you for your kind words. Please join me in looking forward to a new era of nuclear regulation in step with empirical research on both uranium toxicology and flood management.

Dear Mr. Borchardt,

Mr. Jones said that since the Yucca Mountain application has been docketed, I may now submit my revised Emergency 2.206 petition of 3 August 2008. I wish to do so.

Dear Dr. Shah,

Because this is an emergency, I waive the initial meeting with PRB. As you know, the emergency 2.206 petition was originally denied because the Yucca Mountain application had not been docketed.

Sincerely,

James Salsman

On Fri, Sep 19, 2008 at 12:39 PM, Bradley Jones <[Bradley.Jones@nrc.gov](mailto:Bradley.Jones@nrc.gov)> wrote:

> Mr. Salsman,

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>  
> Although I spoke with you on the telephone, I just wanted to reiterate  
> that we apologize for the circumstances that resulted in your not  
> receiving the NRC's July 11, 2008 letter transmitting to you a copy of  
> the agency's decision on Petition For Rulemaking PRM-20-26. That  
> decision was published in the Federal Register on July 25th, 2008. As  
> I indicated, we did determine that, although you had emailed a change  
> of address for contacting you, the agency's July 11, 2008 letter had  
> inadvertently been sent to the address on your original Petition. As  
> I indicated to you, we have alerted our Administrative group, who are  
> responsible for tracking rulemaking petitions and related filings, of  
> this situation so they can determine possible actions to prevent such  
> an occurrence from happening to you or any other petitioner in similar circumstances.

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> Since you were not aware, I am pleased that I was able to let you know  
> that the Yucca Mountain application was Docketed earlier this month.  
> If you have any questions regarding the information in the Press  
> Release of September 9,  
> 2008 to which I referred you, please let me know. You had indicated

> in an earlier communication a desire to reinstate, after the Yucca  
> Mountain application was docketed, a 2.206 petition you had withdrawn  
> on two previous occasions and which was related to the issues raised  
> in your PRM. I wanted to make sure you understood our August 15, 2008  
> email to you from Eugene Peters, where it was noted we did not have a  
> process to automatically revive a withdrawn petition upon the  
> occurrence of a future event (docketing of the Yucca Mountain  
> application in this case ), but indicated you could refile your  
> petition at a later date if you continued to want to pursue the petition.

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> I appreciate your comment that you needed to step back and decide what  
> you wanted to do with respect to refiling your petition and filing of  
> any appeals, particularly in light of the deadlines applying to an  
> appeal of the our decision on your PRM. As I indicated, I could not  
> advise you on those decisions, but I hope I helped give you the  
> current information you would need so that you can make your decision.  
> I appreciate your taking the time to talk to me about these issues.

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> Brad Jones

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> Bradley Jones

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> Assistant General Counsel for

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> Rulemaking and Fuel Cycle

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> 301-415-1644

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> Bradley Jones

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> Assistant General Counsel for

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> Rulemaking and Fuel Cycle

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> 301-415-1644

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Received: from mail2.nrc.gov (148.184.176.43) by OWMS01.nrc.gov  
(148.184.100.43) with Microsoft SMTP Server id 8.0.751.0; Fri, 19 Sep 2008  
17:36:35 -0400

X-Ironport-ID: mail2

X-SBRS: 2.0

X-MID: 21851466

X-IronPort-Anti-Spam-Filtered: true

X-IronPort-Anti-Spam-Result:

AooDAC+300jRVdkQeGdsb2JhbACMBYZWPgEPIJ5iLwmGOgECaIMQ

X-IronPort-AV: E=Sophos;i="4.32,433,1217822400";

d="scan'208";a="21851466"

Received: from mail-gx0-f16.google.com ([209.85.217.16]) by mail2.nrc.gov  
with ESMTP; 19 Sep 2008 17:36:35 -0400

Received: by gxk9 with SMTP id 9so1279311gxk.2 for  
<Mahendra.Shah@nrc.gov>; Fri, 19 Sep 2008 14:36:34 -0700 (PDT)

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed;

d=gmail.com; s=gamma;

h=domainkey-signature:received:received:message-id:date:from:to

:subject:cc:in-reply-to:mime-version:content-type

:content-transfer-encoding:content-disposition:references;

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DomainKey-Signature: a=rsa-sha1; c=noaws;

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Received: by 10.151.12.4 with SMTP id p4mr3853529ybi.86.1221860194606;

Fri, 19 Sep 2008 14:36:34 -0700 (PDT)

Received: by 10.151.141.4 with HTTP; Fri, 19 Sep 2008 14:36:34 -0700 (PDT)

Message-ID: <a3c2bd6c0809191436j500b7ebeu3a1829d68f0c1efc@mail.gmail.com>

Date: Fri, 19 Sep 2008 14:36:34 -0700

From: James Salsman <jsalsman@gmail.com>

To: "Bradley Jones" <Bradley.Jones@nrc.gov>, "Bill Borchardt" <RWB1@nrc.gov>,

"Mahendra Shah" <Mahendra.Shah@nrc.gov>

Subject: Re: Apologies for Misdirected PRM Letter

CC: OGCMailCenter@nrc.gov, Karen.Cyl@nrc.gov, tjlodge50@yahoo.com,

"Rita Hindin" <rhindin@gmail.com>

In-Reply-To: <CEEA97CC21430049B821E684512F6E5E97B8211CB2@HQCLSTR01.nrc.gov>

MIME-Version: 1.0

Content-Type: text/plain; charset="UTF-8"

Content-Transfer-Encoding: 7bit

Content-Disposition: inline

References: <CEEA97CC21430049B821E684512F6E5E97B8211CB2@HQCLSTR01.nrc.gov>

Return-Path: jsalsman@gmail.com