

September 3, 2009

Mr. William J, Boyle, Director
Regulatory Affairs Division
Office of Technical Management
Office of Civilian Radioactive Waste Management
Department of Energy
1551 Hillshire Drive
Las Vegas, NV 89134-6321

SUBJECT: NOTIFICATION OF FAILURE OF CORE SAMPLE STORAGE COOLER

Dear Mr. Boyle:

By letter dated August 12, 2009 (ADAMS accession ML092260152), the Department of Energy (DOE) informed the U.S. Nuclear Regulatory Commission (NRC) of the change in conditions at DOE's Sample Management Facility, and the decision by DOE not to maintain the sample coolers and the heating and ventilation controls at the facility warehouses. Your letter states that the cooler failure is expected to have minimal impact on the archiving of the core samples. While the protocol presented by DOE for archiving drill core samples (enclosure to letter from Shelor, DOE, to Holonich, NRC, dated March 5, 1993; in ADAMS as enclosure in ML032250014) anticipated that cores will be "stored under temperature controlled conditions," NRC staff recognizes that loss of temperature control at this time, long after cores were collected, is likely to result in only minimal further deterioration of the samples.

It is our understanding that DOE re-affirms its commitment to NRC that "unless informed otherwise by DOE...all drill hole core will be archived through permanent closure of the repository." NRC staff asks that it be promptly informed of any further changes in conditions at the Sample Management Facility, or other locations holding DOE Yucca Mountain samples, that may affect the continued archiving and availability of these samples.

Sincerely,

/RA/

Aby Mohseni, Deputy Director
Licensing and Inspection Directorate
Division of High-Level Waste Repository Safety
Office of Nuclear Material Safety
and Safeguards

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