

September 29, 2009

MEMORANDUM TO: Lawrence E. Kokajko, Director
Division of High-Level Waste Repository Safety
Office of Nuclear Materials Safety and Safeguards

FROM: Jack Sulima, Project Manager **/RAI/**
Project Management Branch B
Licensing and Inspection Directorate
Division of High-Level Waste Repository Safety
Office of Nuclear Materials Safety and Safeguards

SUBJECT: SUMMARY OF SEPTEMBER 24, 2009, CLARIFICATION CALL WITH
THE U.S. DEPARTMENT OF ENERGY REGARDING RESPONSES TO
REQUEST FOR ADDITIONAL INFORMATION – VOLUME 3, CHAPTER
2.2.1.4.2 (DEMONSTRATION OF COMPLIANCE WITH THE HUMAN
INTRUSION STANDARD), SET 1 – YUCCA MOUNTAIN

A clarification call was held with Ms. Corinne Macaluso, et al., of the U.S. Department of Energy (DOE) on September 24, 2009. The purpose of the call was for U.S. Nuclear Regulatory Commission (NRC) staff to receive clarification from DOE regarding their responses to one of NRC's requests for additional information (RAI). The discussion focused on DOE's response to an RAI in Set 1 of Volume 3, Chapter 2.2.1.4.2 (Demonstration of Compliance with the Human Intrusion Standard).

NRC staff will continue its review of the information in the Safety Analysis Report and the written responses to the RAIs that have been provided to date. No commitments or regulatory decisions were made by NRC staff during the meeting.

cc: See enclosed list

CONTACT: Jack Sulima, NMSS/HLWRS
(301) 492-3180

Memorandum to L. Kojajko from J. Sulima dated: September 29, 2009

cc:

C. Berkey, Alexander, Berkey, Williams & Weathers LLP
R. Leigh, Alexander, Berkey, Williams & Weathers LLP
S. Williams, Alexander, Berkey, Williams & Weathers LLP
M. Morales, Alexander, Berkey, Williams & Weathers LLP
R. Andersen, Akerman Senterfitt
R. List, Armstrong Teasdale LLP
B. Armantrout, Boulder City, NV
B. Gattoni, Burns & Roe
J. Huston, Caliente Hot Springs Resort
B. Hembacher, California Attorney General's Office
S. Durbin, California Attorney General's Office
T. Sullivan, California Attorney General's Office
K. Bell, California Energy Commission
B. Neuman, Carter Ledyard & Milburn L.L.P.
A. Kalt, Churchill County, NV
R. Massey, Churchill/Lander County, NV
M. Cyphers, City of Henderson, NV
L. Lee, City of Las Vegas
C. Kus, City of North Las Vegas, NV
I. Navis, Clark County, NV
P. Klevorick, Clark County, NV
S. Walker, Clark County, NV
B. Sagar, CNWRA
K. Agostisi, Cong. Dina Titus
E. von Tiesenhausen, Consultant
L. Pitchford, Consultant
J. Gervers, Consultant
J. Hollrith, DOE
G. Hellstrom, DOE
R. Dyer, DOE/OCRWM
C. Macaluso, DOE/OCRWM
C. Trummell, DOE/OCRWM
D. Barr, DOE/OCRWM
M. Williams, DOE/OCRWM
L. Newman, DOE/OCRWM
C. Kouts, DOE/OCRWM
S. Bokhari, DOE/RW
A. Gil, DOE/OCRWM
W. Boyle, DOE/OCRWM
S.A. Wade, DOE/OCRWM
T. Gunter, DOE/OCRWM
A. Benson, DOE/OCRWM
N. Hunemuller, DOE/OCRWM
P. Harrington, DOE/OCRWM
L. Desell, DOE/RW
S. Davis, DOE/OCRWM
J. Summerson, DOE/OCWRM
J. George, DOE/OCWRM
C. Thom, SNL
E. Bonano, SNL
S. Kuzio, SNL
J. Lloyd, SNL
G. Runkle, DOE/Washington, D.C.
S. Gombert, DOE/Washington, D.C.
M. Malsch, Egan, Fitzpatrick, Malsch, PLLC
J. Siciliano, Energy Washington Week
R. Clark, EPA
J. Kessler, EPRI
E. Mueller, Esmeralda County, NV
R. Damele, Eureka County, NV
A. Johnson, Eureka County, NV
D. Houck, Fredericks and Peebles, LLP
J. Peebles, Fredericks and Peebles, LLP
D. Feehan, GAO
A. Harrington, Godfrey and Kahn
D. Poland, Godfrey and Kahn
H. Renfro, Godfrey and Kahn
S. Heinzen, Godfrey and Kahn
D. Curran, Harmon, Curran, Spielberg & Eisenberg, L.L.P.
D. Irwin, Hunton & Williams
A. Lembke, Inyo County, CA
J. Hart, Inyo County, CA
B. Helmer, Inyo County, CA
G. James, Inyo County, CA
A. Robbins, Jennings, Strouss & Salmon
B. Loveland, Jennings, Strouss & Salmon
D. Roby, Jennings, Strouss & Salmon
J. Brandt, Lander County, NV
D. Teske, Lander County, NV
S. Scholley, Legislative Counsel Bureau
B. Whipple, Lincoln County, NV
M. Baughman, Lincoln County, NV
C. Simkins, Lincoln County, NV
G. Barlow, Lincoln County, NV
L. Mathias, Mineral County, NV
T. Poindexter, Morgan, Lewis & Bockius LLP
C. Meyers, Moapa Paiute Indian Tribe
R. Holden, NCAI
R. McCullum, NEI
S. Kraft, NEI
P. Seidler, NEI
J. Strolin, Nevada Agency for Nuclear Projects
J. Treichel, Nuclear Waste Task Force
C. Di Bella, NWTRB
M. Murphy, Nye County, NV
W. Kohbarger, Nye County, NV
D. Lacy, Nye County, NV
J. Eastley, Nye County, NV
G. Hollis, Nye County, NV
R. Gamble, Nye County, NV

cc: (Continued)

C. Jaszczak, Nye County, NV
J. Van Niel, Nye County, NV
J. Silberg, Pillsbury Winthrop Shaw Pittman LLP
T. Walsh, Pillsbury Winthrop Shaw Pittman LLP
E. Hiruo, Platts Nuclear Publications
S. Frishman
T. Story, Rep. Berkley's office
D. Cherry, Rep. Berkley's office
K. Pace, Rep. Heller's office
G. Facchiano, Rep. Heller's office
M. Nakashima, Rep. Heller's office
A. Moses, Rep. Heller's office
J. Duran, Rosette & Associates, PC
K. Kirkeby, Sen. Ensign's office
A. Shaw, Sen. Ensign's office
S. Joya, Sen. Ensign's office
J. Min, Sen. Ensign's office
S. Raborn, Sen. Reid's office
A. McDonough, Sen. Reid's office
D. Cristinzio, Sen. Reid's office
S. Lynch, State of NV
J. Kennedy, Timbisha Shoshone Tribe
B. Durham, Timbisha Shoshone Tribe
L. Lehman, T-REG, Inc.
J. Parrott, US NRC
G. Schlapper, US NRC
V. Everett, US NRC
B. Spitzberg, US NRC
L. Willoughby, US NRC
E. Borella, USA-RS
S. Thom, USA-RS
M. Bryan, USA-RS
D. Beckman, USA-RS
J. Donnell, USA-RS
P. Freeman, USA-RS
B. Silloway, USA-RS
L. Kraemer, USA-RS
S. Cereghino, USA-RS
I. Zabarte, Western Shoshone National Council
R. Sears, White Pine County District Attorney
M. Simon, White Pine County, NV
M. Martinez, White Pine County, NV
D. Repka, Winston & Strawn LLP
R. Miras-Wilson, Winston & Strawn LLP
W. Horin, Winston & Strawn LLP
D. Beckman, BSC/B&A
P. Johnson, Citizen Alert
D. Allman, DOE
J. Williams, DOE/Washington, DC
C. Fitzpatrick, Egan, Fitzpatrick, Malsch, PLLC
J. Espinoza, GAO
D. Silverman, Morgan, Lewis & Bockius LLP
B.J. Garrick, NWTRB
K. Skipper, USGS

S. Devlin, Private Citizen
G. Hudlow, Private Citizen

MEMORANDUM TO: Lawrence E. Kokajko, Director
Division of High-Level Waste Repository Safety
Office of Nuclear Materials Safety and Safeguards

FROM: Jack Sulima, Project Manager
Project Management Branch B
Licensing and Inspection Directorate
Division of High-Level Waste Repository Safety
Office of Nuclear Materials Safety and Safeguards

SUBJECT: SUMMARY OF SEPTEMBER 24, 2009, CLARIFICATION CALL WITH THE U.S. DEPARTMENT OF ENERGY REGARDING RESPONSES TO REQUEST FOR ADDITIONAL INFORMATION – VOLUME 3, CHAPTER 2.2.1.4.2 (DEMONSTRATION OF COMPLIANCE WITH THE HUMAN INTRUSION STANDARD), SET 1 – YUCCA MOUNTAIN

A clarification call was held with Ms. Corinne Macaluso, et al., of the U.S. Department of Energy (DOE) on September 24, 2009. The purpose of the call was for U.S. Nuclear Regulatory Commission (NRC) staff to receive clarification from DOE regarding their responses to one of NRC's requests for additional information (RAI). The discussion focused on DOE's response to an RAI in Set 1 of Volume 3, Chapter 2.2.1.4.2 (Demonstration of Compliance with the Human Intrusion Standard).

NRC staff will continue its review of the information in the Safety Analysis Report and the written responses to the RAIs that have been provided to date. No commitments or regulatory decisions were made by NRC staff during the meeting.

cc: See enclosed list

CONTACT: Jack Sulima, NMSS/HLWRS
(301) 492-3180

DISTRIBUTION:

HLWRS r/f JSulima AMohseni JDavis JGuttmann TMcCartin JGwo
AGomez KCompton CMarkley JWinterle OPensado JMcMurray

ML092610263

OFFICE	HLWRS	HLWRS	HLWRS
NAME	AGomez	JGuttmann	JSulima
DATE	9 / 28 / 09	9 / 29 / 09	9 / 29 / 09

OFFICIAL RECORD COPY