November 5, 2009

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

FROM: Christian Jacobs, Senior Project Manager **/RA/**
Project Management Branch B
Licensing and Inspection Directorate
Division of High-Level Waste Repository Safety
Office of Nuclear Material Safety and Safeguards

SUBJECT: SUMMARY OF NOVEMBER 5, 2009, CLARIFICATION CALL WITH THE U.S. DEPARTMENT OF ENERGY ON YUCCA MOUNTAIN, REGARDING RESPONSES TO REQUESTS FOR ADDITIONAL INFORMATION – VOLUME 2 (CHAPTER 2.1.1.3 & CHAPTER 2.1.1.4)

A clarification call was held with Mr. Steve Gomberg, et al. of the U.S. Department of Energy (DOE) on November 5, 2009. The purpose of the call was for U.S. Nuclear Regulatory Commission (NRC) staff to receive clarification from DOE regarding some of their responses (ML092660167, ML092150646 and ML091340548) to Requests for Additional Information for SER Volume 2, Chapters 2.1.1.3 and 2.1.1.4.

NRC 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 the NRC staff during the meeting.

cc: See enclosed list

CONTACT: Christian Jacobs, NMSS/HLWRS
(301) 492-3265

Memorandum to L. Kokajko from C. Jacobs dated: November 5, 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. Gomberg, 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
R. Elliott, 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
J. Kriner, 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
C. Willard

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

FROM: Christian Jacobs, Senior Project Manager
Project Management Branch B
Licensing and Inspection Directorate
Division of High-Level Waste Repository Safety
Office of Nuclear Material Safety and Safeguards

SUBJECT: SUMMARY OF NOVEMBER 5, 2009, CLARIFICATION CALL WITH THE U.S. DEPARTMENT OF ENERGY ON YUCCA MOUNTAIN, REGARDING RESPONSES TO REQUESTS FOR ADDITIONAL INFORMATION – VOLUME 2 (CHAPTER 2.1.1.3 & CHAPTER 2.1.1.4)

A clarification call was held with Mr. Steve Gomberg, et al. of the U.S. Department of Energy (DOE) on November 5, 2009. The purpose of the call was for U.S. Nuclear Regulatory Commission (NRC) staff to receive clarification from DOE regarding some of their responses (ML092660167, ML092150646 and ML091340548) to Requests for Additional Information for SER Volume 2, Chapters 2.1.1.3 and 2.1.1.4.

NRC 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 the NRC staff during the meeting.

cc: See enclosed list

DISTRIBUTION:
HLWRS r/f AGomez CJacobs KStablein SWhaley HLWRS Staff

ML093030399

OFFICE	HLWRS	HLWRS	HLWRS	HLWRS
NAME	AGomez	SWhaley	KStablein	CJacobs
DATE	11/ 5 /09	11/ 5 /09	11/ 5 /09	11/ 5 /09

OFFICIAL RECORD COPY