

November 23, 2009

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
U.S. DEPARTMENT OF ENERGY)	Docket No. 63-001-HLW
)	
(High-Level Waste Repository))	ASLBP Nos. 09-892-HLW-CAB04
)	
)	
)	

NOTICE OF CHANGES TO NRC STAFF
DELIBERATIVE PROCESS PRIVILEGE LOG

In its July 30, 2009 LSN Supplementation, the NRC staff ("Staff") withheld several documents from its LSN collection as subject to the deliberative process privilege. These documents were the subject of a motion to compel filed by the State of Nevada, which was denied by Construction Authorization Board-04 ("the Board").¹ Following discussions with the State of Nevada regarding a potential motion to compel, the Staff is withdrawing its claim of privilege for 15 of the documents listed in the July 30 Deliberative Process Privilege Log.

In accordance with the Fifth Case Management Order issued on November 1, 2007, at 5 (FCMO), and the Revised Second Case Management Order issued on July 6, 2007, at 10 (RSCMO), as amended by the Order (Granting Staff's Motion to Amend Provision of Revised

¹ See State of Nevada's Motion to Compel Production of Documents Asserted as Privileged by NRC Staff, August 10, 2009; NRC Staff Answer to the State of Nevada's Motion to Compel Production of Documents Asserted as Privileged by NRC Staff, August, 17, 2009; NRC Staff Motion for Leave to Correct Its July 30, 2009 Deliberative Process Privilege Log Supplement, August 19, 2009; State of Nevada's Answer in Opposition to NRC Staff's Motion for Leave to Correct Its July 30, 2009 Deliberative-Process Privilege Log Supplement, August 26, 2009; CAB Order Denying Motion to Compel and Motion to Correct Logs, October 7, 2009.

Second Case Management Order), dated November 18, 2009 (unpublished) ("November 18 Order"), the Staff has made all the necessary corrections to its LSN document collection and privilege logs to reflect the withdrawal of the privilege claim for these 15 documents.

Accordingly, appended to this filing is the certification of Ms. Alicia J. Mullins, the official responsible for the administration of the Staff's efforts to identify and make available supplementary documentary material via the LSN. In addition, pursuant to 10 C.F.R. § 2.705(g), the November 18 Order, and RSCMO, Fourth Case Management Order, dated October 5, 2007 (unpublished), and FCMO, as adopted by Case Management Order #1, dated January 29, 2009, at 2 (unpublished), the Staff hereby files a supplement to its Deliberative Process Privilege Log.

For this supplement, I hereby certify, to the best of my knowledge, information and belief, formed after reasonable inquiry, that the information on the privilege log and the claimed privilege for the document is, *inter alia*, correct and consistent with the requirements of the Second Case Management Order.

Respectfully submitted,

/Signed (electronically) by/

Margaret J. Bupp
Counsel for NRC Staff
U.S. Nuclear Regulatory Commission
Mail Stop O-15 D21
Washington, DC 20555-0001
(301) 415-3722
mjb5@nrc.gov

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	Docket No. 63-001-HLW
)	
U. S. DEPARTMENT OF ENERGY)	ASLBP No. 09-892-HLW-CAB04
)	
(High-Level Waste Repository))	
)	

NRC STAFF CERTIFICATION OF
LICENSING SUPPORT NETWORK SUPPLEMENTATION

As the official responsible for the administration of the NRC staff's duty to duly supplement the NRC collection of electronic files of documentary material, I hereby certify that, pursuant to procedures established under 10 C.F.R. § 2.1009(a)(2), and the Revised Second Case Management Order (Pre-License Application Phase Document Discovery and Dispute Resolution) (July 6, 2007) ("Revised Second CMO") (unpublished) at 21, as modified by Order (Granting Staff's Motion to Amend Provision of Revised Second Case Management Order) (Nov. 13, 2009) (unpublished), to the best of my knowledge, documentary material previously withheld in the Staff's July 30, 2009 LSN Supplementation as subject to the deliberative process privilege has now been made publicly available.

/RA/

Alicia J. Mullins, Project Manager
Division of High-Level Waste Repository Safety
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission

Dated at Rockville, Maryland
this 23rd day of November, 2009

NRC Primary Privilege Log

Date: 11/23/2009

Deliberative Process Privilege Log

Deliberative Process Privilege	
1. LSN header number	NRC000029777
2. ADAMS accession number	ML082960051
3. Document date	5/27/2008
4. Title	2008/05/27 HLW-Yucca Mountain - RE: Assignment: Yucca EIS Adoption Review
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	Chandrika Manepally, Technical Reviewer, CNWRA
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	David Turner, Principal Investigator, CNWRA
8. Relationship between persons listed in 5 and 6	Chandrika Manepally is a technical reviewer at the CNWRA communicating the review of DOE's EIS NRC's determination on adoption to his supervisor David Turner a principal Investigator at the CNWRA.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege

1. LSN header number	NRC000029809
2. ADAMS accession number	ML082960052
3. Document date	5/16/2008
4. Title	2008/05/16 HLW-Yucca Mountain - Comments Review
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	Dr. C. Hobson Bryan, Consultant, University of Alabama
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	David Turner, Principal Investigator, CNWRA
8. Relationship between persons listed in 5 and 6	The author Dr. C. Hobson Bryan is a consultant for the CNWRA and a professor at the University of Alabama. Dr. Bryan is providing his feedback regarding DOE's EIS for NRC's determination on adoption to David Turner of the CNWRA.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000029793
2. ADAMS accession number	ML082960053
3. Document date	5/16/2008
4. Title	2008/05/16 HLW-Yucca Mountain - Review of Comments and Responses of the 2002 FEIS
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	Daniel Ritsema, Private Consultant, Ritsema Consulting
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	David Turner, Principal Investigator, CNWRA
8. Relationship between persons listed in 5 and 6	The author Mr. Daniel is a private consultant from Ritsema Consulting Incorporation providing feedback to David Turner a principal investigator from the CNWRA on DOE's EIS for NRC's determination on adoption.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000029782
2. ADAMS accession number	ML082960056
3. Document date	5/16/2008
4. Title	2008/05/16 HLW-Yucca Mountain - Adoption review comment table
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	Eunice Fedors, Consultant, CNWRA
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	David Turner, Principal Investigator, CNWRA
8. Relationship between persons listed in 5 and 6	The author Eunice Fedors is a consultant for the CNWRA and is providing her feedback to David Turner a principal investigator for the CNWRA on DOE's EIS for NRC's determination on adoption.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000029775
2. ADAMS accession number	ML082960057
3. Document date	5/15/2008
4. Title	2008/05/15 HLW-Yucca Mountain - See attached, Review of comments and resolution in Section 7
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	Larry McKague, Private Consultant, CNWRA
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	David Turner, Principal Investigator, CNWRA
8. Relationship between persons listed in 5 and 6	The author Larry McKague a private consultant for the CNWRA communicating his review of DOE's EIS for NRC's determination on adoption to David Turner a principal investigator at the CNWRA.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000029760
2. ADAMS accession number	ML082960058
3. Document date	5/15/2008
4. Title	2008/05/15 HLW-Yucca Mountain - SEIS comments section 7.3 post closure
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	James Mancillas, Technical Reviewer, CNWRA
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	David Turner, Principal Investigator, CNWRA
8. Relationship between persons listed in 5 and 6	The author James Mancillas is a technical reviewer for the CNWRA and is communicating with his supervisor David Turner a principal investigator for the CNWRA regarding DOE's EIS for NRC's determination on adoption.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000029780
2. ADAMS accession number	ML082960059
3. Document date	5/6/2008
4. Title	2008/05/06 HLW-Yucca Mountain - Continued response to team questions on FEIS2002, vol III, 5 sections assigned to me
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	Philip Justus, Senior Geologist, NRC
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Christine Pineda, Senior Project Manager (NEPA), NRC
	David Turner, Principal Investigator, CNWRA
8. Relationship between persons listed in 5 and 6	The author Philip Justus a senior geologist at NRC is communicating to Christine Pineda a senior project manager at NRC and David Turner a principal investigator at CNWRA regarding DOE's EIS for NRC's determination on adoption.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000029840
2. ADAMS accession number	ML082960060
3. Document date	5/5/2008
4. Title	2008/05/05 HLW-Yucca Mountain - Response to your questions on FEIS 2002,vol III, 5 sections assigned to me
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	Philip Justus, Senior Geologist, NRC
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Christine Pineda, Senior Project Manager (NEPA), NRC
	David Turner, Principal Investigator, CNWRA
8. Relationship between persons listed in 5 and 6	The author Philip Justus a senior geologist at NRC is communicating to Christine Pineda a senior project manager at NRC and David Turner a principal investigator at CNWRA regarding DOE's EIS for NRC's determination on adoption.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000029805
2. ADAMS accession number	ML082960061
3. Document date	6/27/2007
4. Title	2007/06/27 HLW-Yucca Mountain - Preliminary Thoughts on CEA Confirmatory Analysis
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	Larry McKague, Private Consultant, CNWRA
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	David Turner, CNWRA
	David Turner, Principal Investigator, CNWRA
8. Relationship between persons listed in 5 and 6	The author Larry McKague is a private consultant for the CNWRA and is communicating his review to David Turner principal investigator at the CNWRA regarding DOE's EIS for NRC's determination on adoption.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000029817
2. ADAMS accession number	ML082980333
3. Document date	5/16/2008
4. Title	Yucca Mountain 2002 SEIS Comments Review.
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	Edgar Huber, Principal Investigator, Statistical Research, Inc.
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	David Turner, Principal Investigator, CNWRA
8. Relationship between persons listed in 5 and 6	The author Edgar Huber is a principal investigator employed at Statistical Research Incorporated and was communicating to David Turner principal investigator at the CNWRA regarding DOE's EIS for NRC's determination on adoption.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege

1. LSN header number	NRC000029826
2. ADAMS accession number	ML081490143
3. Document date	8/9/2006
4. Title	2006/08/09 HLW-Yucca Mountain - Re: FEIS water mass exchange
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	Randall Fedors, Senior Hydrogeologist, NRC
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Jin-Ping Gwo, Systems Performance Analyst, NRC Keith Compton, Senior Systems Performance Analyst, NRC
8. Relationship between persons listed in 5 and 6	The author Randall Fedors senior hydrogeologist at NRC was communicating with recipients Jin-Pin Gwo and Keith Compton System Performance Analysts at NRC his review of DOE's EIS for NRC's determination on adoption.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000029758
2. ADAMS accession number	ML081830064
3. Document date	10/24/2007
4. Title	2007/10/24 HLW-Yucca Mountain - http://choctaw.er.usgs.gov/new_web/reports/other_reports/flood_frequency/feasibility1986.html
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	Jeffrey Pohle, Senior Hydrogeologist, NRC
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Mysore Nataraja, Senior Geotechnical Engineer, NRC
8. Relationship between persons listed in 5 and 6	The author Jeffrey Pohle a senior hydrogeologist at NRC was communicating with his colleague Mysore Nataraja a senior geotechnical engineer at NRC his review of DOE's EIS for NRC's determination on adoption.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000029807
2. ADAMS accession number	ML081830067
3. Document date	10/24/2007
4. Title	2007/10/24 HLW-Yucca Mountain - Re: question
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	Jeffrey Pohle, Senior Hydrogeologist, NRC
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Christine Pineda, Senior Project Manager (NEPA), NRC
8. Relationship between persons listed in 5 and 6	The author Jeffrey Pohle a senior hydrogeologist at NRC was communicating his review of DOE's EIS for NRC's determination on adoption to Christine Pineda senior project manager (NEPA) at NRC.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000029794
2. ADAMS accession number	ML081830063
3. Document date	11/6/2007
4. Title	2007/11/06 HLW-Yucca Mountain - DSEIS and DEIS Review Results for Transportation
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	Patrick LaPlante, Technical Reviewer, CNWRA
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Norma Garcia-Santos, Project Manager, NRC
8. Relationship between persons listed in 5 and 6	The author Patrick LaPlante a technical reviewer from the CNWRA was communicating his review of DOE's EIS for NRC's determination on adoption to Norma Garcia-Santos a project manager at NRC.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege

1. LSN header number	NRC000029830
2. ADAMS accession number	ML081490236
3. Document date	11/7/2007
4. Title	2007/11/07 HLW-Yucca Mountain - Re: SEIS Chapter 5/Appendix F comments
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	Randall Fedors, Senior Hydrogeologist, NRC
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Keith Compton, Senior Systems Performance Analyst, NRC
8. Relationship between persons listed in 5 and 6	The author Randall Fedors a senior hydrogeologist at NRC was communicating to the recipient Keith Compton a senior systems performance analyst at NRC his review of DOE's EIS for NRC's determination on adoption.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000029759
2. ADAMS accession number	ML081970193
3. Document date	3/3/2008
4. Title	2008/03/03 HLW-Yucca Mountain - Addition to the discussion proposed: inquire within: Fwd: Re: please discuss groundwater
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	John Bradbury, Geochemist, NRC
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Philip Justus, Senior Geologist, NRC
8. Relationship between persons listed in 5 and 6	The author John Bradbury a geochemist at NRC was communicating with his colleague Philip Justus a senior geologist at NRC regarding his review of DOE's EIS for NRC's determination on adoption.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000029802
2. ADAMS accession number	ML082590600
3. Document date	07/03/2008
4. Title	2008/07/03 HLW-Yucca Mountain - FW: crosswalk for DOE responses to NRC comments
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	David Turner, Principal Investigator, CNWRA
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Dr. Larry Canter, Private Consultant, CNWRA
	Dr. C. Hobson, Consultant, University of Alabama
	Edgar Huber, Principal Investigator, Statistical Research, Inc.
	Daniel Ritsema, Private Consultant, Ritsema Consulting
	Randall Fedors, Senior Hydrogeologist, NRC
	Brian Strye, Subcontractor, Raba-Kistner Consultants, Inc.
	Bill Tillar, Subcontractor, Raba-Kistner Consultants, Inc.
	Larry McKague, Private Consultant, CNWRA
	Biswajit Dasgupta, Technical Reviewer, CNWRA
	James Mancillas, Technical Reviewer, CNWRA
	Chandrika Manepally, Technical Reviewer, CNWRA
Bradley Werling, Technical Reviewer, CNWRA	
Patrick LaPlante, Technical Reviewer, CNWRA	
8. Relationship between persons listed in 5 and 6	The author David Turner principal investigator at the CNWRA was communicating with a team of recipients who are responsible for reviewing DOE's EIS for NRC's determination on adoption.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and

	comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000029804
2. ADAMS accession number	ML081970195
3. Document date	3/3/2008
4. Title	2008/03/03 HLW-Yucca Mountain - Fwd: SEIS Groundwater Comment
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	John Bradbury, Geochemist, NRC David Turner, Principal Investigator, CNWRA
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	The list of original addressees is not available, however, based on the text of the e-mail and the author's recollection, the e-mail was sent only to NRC staff or contractors.
8. Relationship between persons listed in 5 and 6	The author John Bradbury geochemist for NRC was communicating to recipient David Turner principal investigator at the CNWRA regarding DOE's EIS for NRC's determination on adoption.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000030318
2. ADAMS accession number	ML083090880
3. Document date	11/08/2007
4. Title	2007/11/08 HLW-Yucca Mountain - SEIS Comments on Igneous Scenario and Toxic Materials
5. Subject matter description	E-mail Correspondence Regarding DOE's Draft SEIS.
6. Author(s) name, job title/capacity, affiliation	James Mancillas, Technical Reviewer, CNWRA
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Osvaldo Pensado, Technical Reviewer, CNWRA
8. Relationship between persons listed in 5 and 6	James Mancillas is a technical reviewer at the CNWRA communicating his comments on DOE's Draft SEIS to his co-worker Osvlado Pensado who is a technical reviewer.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion supporting the development of NRC's comments on the Draft SEIS.
11. Explanation why document is deliberative	The document includes NRC's staff member's preliminary comments on DOE's Draft SEIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000030350
2. ADAMS accession number	ML091980375
3. Document date	05/06/2008
4. Title	2008/05/06 HLW-Yucca Mountain - REPLY:RE: Continued response to team questions on FEIS2002, vol III, 5 sections assigned to me
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	Philip Justus, Senior Geologist, NRC
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Christine Pineda, Senior Project Manager (NEPA), NRC
8. Relationship between persons listed in 5 and 6	Philip Justus a senior geologist at NRC is providing EIS related comments to Christine Pineda a senior project manager (NEPA) at NRC.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege

1. LSN header number	NRC000030324
2. ADAMS accession number	ML091980374
3. Document date	05/08/2008
4. Title	2008/05/08 HLW-Yucca Mountain - First part of the EIS assignment
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	Carmen Rivera, Project Manager, NRC
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Christine Pineda, Senior Project Manager, NRC
8. Relationship between persons listed in 5 and 6	Carmen Rivera a project manager at NRC is providing EIS related comments to Christine Pineda a senior project manager at NRC.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000030381
2. ADAMS accession number	ML091980371
3. Document date	05/14/2008
4. Title	2008/05/14 HLW-Yucca Mountain - Draft SEIS comments to be checked in review and adoption of FEIS for Yucca Mountain Project
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	Bandad Jagannath, Senior Geotechnical Engineer, NRC
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Christine Pineda, Senior Project Manager (NEPA), NRC
8. Relationship between persons listed in 5 and 6	Bandad Jagannath a senior geotechnical engineer at NRC is providing EIS comments to Christine Pineda a senior project manager (NEPA) at NRC.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000030275
2. ADAMS accession number	ML091980370
3. Document date	05/16/2008
4. Title	2008/05/16 HLW-Yucca Mountain - RE: Assignment: Yucca EIS Adoption Review
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	Alexander Sapountzis, Technical Reviewer, NRC
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Christine Pineda, Senior Project Manager (NEPA), NRC
8. Relationship between persons listed in 5 and 6	Alexander Sapountzis a technical reviewer at NRC is providing EIS related comments to Christine Pineda a senior project manager (NEPA) at NRC.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000030327
2. ADAMS accession number	ML091980367
3. Document date	05/22/2008
4. Title	2008/05/22 HLW-Yucca Mountain - EIS Comments
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	Carmen Rivera, Project Manager, NRC
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Christine Pineda, Senior Project Manager (NEPA), NRC
8. Relationship between persons listed in 5 and 6	Carmen Rivera a project manager at NRC is providing EIS related comments to Christine Pineda a senior project manager (NEPA) at NRC.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000030299
2. ADAMS accession number	ML091980376
3. Document date	07/31/2008
4. Title	2008/07/31 HLW-Yucca Mountain - EIS ADR Comment
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	Mahendra Shah, Senior Advisor-Engineering, NRC
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Philip Justus, Senior Geologist, NRC
8. Relationship between persons listed in 5 and 6	Mahendra Shah a senior advisor-engineering at NRC is providing feedback on EIS related comments to Philip Justus a senior geologist at NRC.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000030333
2. ADAMS accession number	ML091900685
3. Document date	07/09/2008
4. Title	2008/07/09 HLW-Yucca Mountain - RE: Question: reference from meeting earlier
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	Michele Sampson, Project Manager, NRC
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Kevin Witt, Project Manager, NRC
8. Relationship between persons listed in 5 and 6	Michele Sampson is a Project Manager at NRC who is getting clarification on a question relating to DOE's EIS from Kevin Witt a Project Manager at NRC.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000030348
2. ADAMS accession number	ML083240535
3. Document date	08/24/2005
4. Title	2005/08/24 HLW-Yucca Mountain - Update of the PPIR
5. Subject matter description	E-mail Correspondence Regarding DOE's License Application description on Pre-Closure Safety Analysis (PCSA).
6. Author(s) name, job title/capacity, affiliation	Timothy Kobetz, Branch Chief, Inspection and Regional Support Reactor Inspection Branch, NRC
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Asadul Chowdhury, Technical Reviewer, CNWRA
	Amitava Ghosh, Technical Reviewer, CNWRA
	George Adams, Technical Reviewer, CNWRA
	John Stamatkos, Technical Reviewer, CNWRA
	Lane Howard, Technical Reviewer, CNWRA
	Luis Ibarra, Technical Reviewer, CNWRA
	Goodluck Ofoegbu, Technical Reviewer, CNWRA
	Oleg Povetko, Technical Reviewer, CNWRA
	Roland Benke, Technical Reviewer, CNWRA
	Sarah Gonzalez, Technical Reviewer, CNWRA
	Simon Hsiung, Technical Reviewer, CNWRA
	Sitakanta Mohanty, Technical Reviewer, CNWRA
	Troy Maxwell, Technical Reviewer, CNWRA
	Aladar Csontos, Branch Chief, Component Integrity Branch, NRC
	Andy Campbell, Branch Chief, Performance Assessment Branch, NRC
	Abou-Bakr Ibrahim, Senior Seismologist, NRC
	Albert Wong, Senior Mechanical Engineer, NRC
Banad Jagannath, Senior Geotechnical Engineer, NRC	
Christopher Ryder, Project Manager, NRC	
Dennis Galvin, Project Manager, NRC	
David Dancer, Project Engineer (Materials), NRC	

	Kien Chang, Material Engineer, NRC
	Michael Waters, Branch Chief, Thermal and Containment Branch, NRC
	Mahendra Shah, Senior Advisor-Engineer, NRC
	Mysore Nataraja, Senior Geotechnical Engineer, NRC
	King Stablein, Branch Chief, Project Management Branch B, NRC
	Philip Justus, Senior Geologist, NRC
	Robert Johnson, Senior Project Manager, NRC
	Tae Ahn, Senior Material Engineer, NRC
	Yong Kim, Senior Structural Engineer, NRC
	Biswajit Dasgupta, Technical Reviewer, CNWRA
8. Relationship between persons listed in 5 and 6	Timothy Kobetz was the Branch Chief in NRC/NMSS communicating with the Preclosure team on preparing to review a draft of the Preclosure Prelicensing Issues Report.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion on Pre-Closure Pre-licensing Issues Report.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's PCSA.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000030304
2. ADAMS accession number	ML091070189
3. Document date	04/15/2005
4. Title	2005/04/15 HLW-Yucca Mountain - FW: Talking points on Supplement to EIS
5. Subject matter description	E-mail Correspondence Regarding DOE's EIS.
6. Author(s) name, job title/capacity, affiliation	Sitakanta Mohanty, Technical Reviewer, CNWRA
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Bruce Goodwin, Consultant, Environmental Assessment Consulting, Inc.
8. Relationship between persons listed in 5 and 6	Sitakanta Mohanty is a technical reviewer at the CNWRA communicating the discussion on the review of DOE's EIS to Bruce Goodwin a consultant to CNWRA.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion regarding the decision to adopt DOE's EIS with supplementation on 09/05/08.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's EIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000030307
2. ADAMS accession number	ML081960522
3. Document date	11/13/2007
4. Title	2007/11/13 HLW-Yucca Mountain - HP-related comments attached EOM
5. Subject matter description	E-mail Correspondence Regarding DOE's Draft SEIS.
6. Author(s) name, job title/capacity, affiliation	Keith Compton, Senior Systems Performance Analyst, NRC
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Christine Pineda, Senior Project Manager (NEPA), NRC
8. Relationship between persons listed in 5 and 6	The author Keith Compton a senior systems performance analyst at NRC was communicating with Christine Pineda, senior project manager (NEPA) at NRC his comments on DOE's Draft SEIS.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion supporting the development of NRC's comments on the Draft SEIS.
11. Explanation why document is deliberative	The document includes NRC's staff member's preliminary comments on DOE's Draft SEIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000030366
2. ADAMS accession number	ML081960524
3. Document date	11/13/2007
4. Title	2007/11/13 HLW-Yucca Mountain - Comments on SEIS Chapter 5 and Appendix F attached
5. Subject matter description	E-mail Correspondence Regarding DOE's Draft SEIS.
6. Author(s) name, job title/capacity, affiliation	Keith Compton, Senior Systems Performance Analyst, NRC
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Christine Pineda, Senior Project Manager (NEPA), NRC
8. Relationship between persons listed in 5 and 6	The author Keith Compton a senior systems performance analyst at NRC was communicating with Christine Pineda, senior project manager (NEPA) at NRC his comments on DOE's Draft SEIS.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion supporting the development of NRC's comments on the Draft SEIS.
11. Explanation why document is deliberative	The document includes NRC's staff member's preliminary comments on DOE's Draft SEIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000030373
2. ADAMS accession number	ML081490237
3. Document date	11/09/2007
4. Title	2007/11/09 HLW-Yucca Mountain - Postclosure SEIS comments - UZ/SZ
5. Subject matter description	E-mail Correspondence Regarding DOE's Draft SEIS.
6. Author(s) name, job title/capacity, affiliation	Randall Fedors, Senior Hydrogeologist, NRC
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Keith Compton, Senior Systems Performance Analyst, NRC
8. Relationship between persons listed in 5 and 6	The author Keith Compton a senior systems performance analyst at NRC was communicating with Christine Pineda, senior project manager (NEPA) at NRC his comments on DOE's Draft SEIS.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion supporting the development of NRC's comments on the Draft SEIS.
11. Explanation why document is deliberative	The document includes NRC's staff member's preliminary comments on DOE's Draft SEIS.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege

1. LSN header number	NRC000030358
2. ADAMS accession number	ML083240598
3. Document date	01/07/2005
4. Title	2005/01/07 HLW-Yucca Mountain - Preclosure Team Meeting
5. Subject matter description	E-mail Correspondence Regarding DOE's License Application description on Pre-Closure Safety Analysis (PCSA).
6. Author(s) name, job title/capacity, affiliation	Timothy Kobetz, Branch Chief, Inspection and Regional Support Reactor Inspection Branch, NRC
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Asadul Chowdhury, Technical Reviewer, CNWRA
	Amitava Ghosh, Technical Reviewer, CNWRA
	George Adams, Technical Reviewer, CNWRA
	John Stamatkos, Technical Reviewer, CNWRA
	Lane Howard, Technical Reviewer, CNWRA
	Luis Ibarra, Technical Reviewer, CNWRA
	Goodluck Ofoegbu, Technical Reviewer, CNWRA
	Oleg Povetko, Technical Reviewer, CNWRA
	Roland Benke, Technical Reviewer, CNWRA
	Sarah Gonzalez, Technical Reviewer, CNWRA
	Simon Hsiung, Technical Reviewer, CNWRA
	Sitakanta Mohanty, Technical Reviewer, CNWRA
	Troy Maxwell, Technical Reviewer, CNWRA
	Aladar Csontos, Branch Chief, Component Integrity Branch, NRC
	Andy Campbell, Branch Chief, Performance Assessment Branch, NRC
	Abou-Bakr Ibrahim, Senior Seismologist, NRC
	Albert Wong, Senior Mechanical Engineer, NRC
Banad Jagannath, Senior Geotechnical Engineer, NRC	
Christopher Ryder, Project Manager, NRC	
Dennis Galvin, Project Manager, NRC	

	David Dancer, Project Engineer (Materials), NRC
	Kien Chang, Material Engineer, NRC
	Michael Waters, Branch Chief, Thermal and Containment Branch, NRC
	Mahendra Shah, Senior Advisor-Engineer, NRC
	Mysore Nataraja, Senior Geotechnical Engineer, NRC
	King Stablein, Branch Chief, Project Management Branch B, NRC
	Philip Justus, Senior Geologist, NRC
	Robert Johnson, Senior Project Manager, NRC
	Tae Ahn, Senior Material Engineer, NRC
	Yong Kim, Senior Structural Engineer, NRC
	Biswajit Dasgupta, Technical Reviewer, CNWRA
8. Relationship between persons listed in 5 and 6	Timothy Kobetz was the Branch Chief in NRC/NMSS communicating with the Preclosure team on preparing to review a draft of the Preclosure Prelicensing Issues Report.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to discussion on Pre-Closure Pre-licensing Issues Report.
11. Explanation why document is deliberative	The document includes NRC's preliminary opinions and comments on DOE's PCSA.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege

1. LSN header number	NRC000030387
2. ADAMS accession number	ML080720148
3. Document date	10/19/2005
4. Title	2005/10/19 HLW-Yucca Mountain - Re: Fwd: Special HLW Board Meeting on groundwater protection standard
5. Subject matter description	E-mail correspondence regarding groundwater protection standard.
6. Author(s) name, job title/capacity, affiliation	David Brooks, Senior Project Manager, NRC
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Jack Guttman, Branch Chief, Repository Site Branch, NRC
	Lawrence Kokajko, Deputy Director, High-Level Waste Repository Safety, NRC
	Bill Reamer, Director, High-Level Waste Repository Safety, NRC
	Kien Chang, Material Engineer, NRC
	Marissa Bailey, Branch Chief, Engineering Branch, NRC
8. Relationship between persons listed in 6 and 7	The author is an NRC Senior Project Manager; the addressees are an NRC colleague and NRC managers.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to an NRC Staff decision on how to apply the groundwater protection standard in its LA review.
11. Explanation why document is deliberative	The document includes NRC Staff's preliminary opinions and comments on how to apply the groundwater protection standard during the LA review.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege

1. LSN header number	NRC000030443
2. ADAMS accession number	ML083231134
3. Document date	1/20/2006
4. Title	2006/01/20 HLW-Yucca Mountain - FW: Answers to Tim McCartin questions
5. Subject matter description	E-mail correspondence regarding review strategy for salt deliquescence.
6. Author(s) name, job title/capacity, affiliation	English Percy, Group Manager, CNWRA
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Miriam Juckett, Technical Reviewer, CNWRA
8. Relationship between persons listed in 6 and 7	NRC contractor manager and reviewers
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to planning the NRC Staff's license application review strategy on issues associated with engineered barriers.
11. Explanation why document is deliberative	The document includes an NRC contractor's preliminary opinions and comments on questions that were to be considered in developing the strategy for the license application review of engineered barriers.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege

1. LSN header number	NRC000030421
2. ADAMS accession number	ML083240718
3. Document date	3/10/2004
4. Title	2004/03/10 HLW-Yucca Mountain - RE: Long-Term Behavior of Passive Film
5. Subject matter description	E-mail correspondence regarding long term persistence of passive oxide film
6. Author(s) name, job title/capacity, affiliation	Tae Ahn, Senior Materials Engineer, NRC
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Oswaldo Pensado, Technical Reviewer, CNWRA
8. Relationship between persons listed in 6 and 7	The author is an NRC employee; the addressee is an NRC contractor.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	The Staff's review of DOE's long-term passivity approach in the license application.
11. Explanation why document is deliberative	The document includes the NRC Staff's and NRC contractor's preliminary comments on factors to consider during the licensing review.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege

1. LSN header number	NRC000030475
2. ADAMS accession number	ML092050196
3. Document date	4/16/2009
4. Title	2009/04/16 HLW-Yucca Mountain - RE: P&ID Examples from Holtec
5. Subject matter description	E-mail correspondence regarding piping and instrumentation design (P&ID) information.
6. Author(s) name, job title/capacity, affiliation	Paul Bell, Project Manager, NRC
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Vincent Everett, Senior High Level Waste Inspector, NRC
8. Relationship between persons listed in 6 and 7	The author and addressee are NRC employees.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to the Staff's review of P&ID information in the license application.
11. Explanation why document is deliberative	The document includes NRC Staff's preliminary opinions and comments on P&ID information.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege

1. LSN header number	NRC000030497
2. ADAMS accession number	ML083640186
3. Document date	12/5/2007
4. Title	carbonate concentration in Na-K-Cl-NO ₃ mixtures.
5. Subject matter description	E-mail correspondence regarding proposed experimental conditions and predicted conditions for stress corrosion cracking.
6. Author(s) name, job title/capacity, affiliation	Roberto Pabalan, Technical Reviewer, CNWRA
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Ken Chiang, Technical Reviewer, CNWRA
	Lietai Yang, Technical Reviewer, CNWRA
	Yi-Ming Pan, Technical Reviewer, CNWRA
	Oswaldo Pensado, Technical Reviewer, CNWRA
8. Relationship between persons listed in 6 and 7	Pavan Shukla, Technical Reviewer, CNWRA
8. Relationship between persons listed in 6 and 7	The author and addressees are NRC contractors/reviewers.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to deciding what factors to consider in the LA review of stress corrosion cracking.
11. Explanation why document is deliberative	The document includes NRC contractor's preliminary opinions and comments on conditions to be considered during the NRC Staff's review of the LA.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000030405
2. ADAMS accession number	ML083231099
3. Document date	2/22/2008
4. Title	2008/02/22 HLW-Yucca Mountain - RE: More ENG3 Review Strategy Conference Call
5. Subject matter description	E-mail correspondence regarding Staff's strategy to review the quantity and chemistry of water contacting the engineered barriers and waste forms.
6. Author(s) name, job title/capacity, affiliation	Scott Painter, Technical Reviewer, CNWRA Hakan Basagaoglu, Technical Reviewer, CNWRA
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	James Myers, Technical Reviewer, CNWRA Miriam Juckett, Technical Reviewer, CNWRA
8. Relationship between persons listed in 6 and 7	The author and addressees are CNWRA employees, an NRC contractor.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to the development of a license review strategy for issues associated with the review of engineered barriers and waste forms in the LA.
11. Explanation why document is deliberative	The document includes an NRC contractor's preliminary opinions and comments on factors to be considered in the review of engineered barriers and waste forms in the license application.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege

1. LSN header number	NRC000030407
2. ADAMS accession number	ML083231126
3. Document date	1/26/2007
4. Title	2007/01/26 HLW-Yucca Mountain - RE: Last Change: A237, January 24, at 3:00 pm
5. Subject matter description	E-mail correspondence regarding review of a DOE features, events and processes (FEP) Report.
6. Author(s) name, job title/capacity, affiliation	Roberto Pabalan, Technical Reviewer, CNWRA
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Miriam Juckett, Technical Reviewer, CNWRA
	English Percy, Technical Reviewer, CNWRA
	Bradley Werling, Technical Reviewer, CNWRA
	James Prikryl, Technical Reviewer, CNWRA
	James Myers, Technical Reviewer, CNWRA
	David Pickett, Technical Reviewer, CNWRA
	Paul Bertetti, Technical Reviewer, CNWRA
	Jude McMurry, Technical Reviewer, CNWRA
	Lietai Yang, Technical Reviewer, CNWRA
	Xihua He, Technical Reviewer, CNWRA
8. Relationship between persons listed in 6 and 7	The author and addressees are CNWRA employees/NRC contractor reviewers.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to deciding how to review the engineered barrier and waste form during the LA review.
11. Explanation why document is deliberative	The document includes an NRC contractor's preliminary analysis of, and comments on, a DOE FEP report, and deliberations on Staff actions in the review.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.

13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege

1. LSN header number	NRC000030439
2. ADAMS accession number	ML083240482
3. Document date	3/14/2006
4. Title	2006/03/14 HLW-Yucca Mountain - RE: criticality statement of work with clarifications
5. Subject matter description	E-mail correspondence regarding fuel issues and transportation aging and disposal (TAD) canisters.
6. Author(s) name, job title/capacity, affiliation	Vijay Jain, Technical Reviewer, CNWRA
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Sitakanta Mohanty, Technical Reviewer, CNWRA
	Asadul Chowdhury, Technical Reviewer, CNWRA
	James Durham, Technical Reviewer, CNWRA
	Lane Howard, Technical Reviewer, CNWRA
8. Relationship between persons listed in 6 and 7	The author and addressees are technical reviewers at CNWRA, an NRC contractor.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision or decision-making process and date of decision (if any)	This document relates to determining a scope of work to prepare for the license application review of fuel issues and the TAD canister
11. Explanation why document is deliberative	The document includes an NRC contractor's preliminary opinions and comments on fuel issues to be considered in preparing to review the license application and the TAD canister review.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege

1. LSN header number	NRC000030392
2. ADAMS accession number	ML083240455
3. Document date	10/25/2006
4. Title	2006/10/25 HLW-Yucca Mountain - Thoughts on IA presentation
5. Subject matter description	E-mail correspondence regarding staff review strategy of igneous activity
6. Author(s) name, job title/capacity, affiliation	John Trapp, Project Manager, NRC
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	John Stamatkos, Technical Reviewer, CNWRA
	Nancy Adams, Technical Reviewer, CNWRA
	Roland Benke, Technical Reviewer, CNWRA
	Donald Hooper, Technical Reviewer, CNWRA
	Brittain Hill, Senior-Advisor-Science, NRC
	James Rubenstone, Senior Project Manager, Project Management Branch, NRC
	Keith Compton, Senior Systems Performance Analyst, NRC
	Debashis Basu, Technical Reviewer, CNWRA
8. Relationship between persons listed in 6 and 7	The author is an NRC employee. The addressees are NRC contractor/reviewers and NRC colleagues.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to deciding the staff License Application review strategy for igneous activity.
11. Explanation why document is deliberative	The document includes NRC Staff's preliminary opinions and comments on its igneous activity review strategy.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000030496
2. ADAMS accession number	ML083240658
3. Document date	3/21/2007
4. Title	2007/03/21 HLW-Yucca Mountain - RE: (2) Fwd: Reference for heat affected zone
5. Subject matter description	E-mail correspondence regarding TPA input parameters for heat affected zone.
6. Author(s) name, job title/capacity, affiliation	Oswaldo Pensado, Technical Reviewer, CNWRA
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Tae Ahn, Senior Materials Engineer, NRC
	Ken Chiang, Technical Reviewer, CNWRA
	Xihua He, Technical Reviewer, CNWRA
	Yi-Ming Pan, Technical Reviewer, CNWRA
8. Relationship between persons listed in 6 and 7	The author is an NRC contractor employee/reviewer. The addressees are his colleagues at CNWRA and the NRC.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to TPA development and heat affected zone (HAZ) LA review strategy.
11. Explanation why document is deliberative	The document includes NRC contractor and NRC Staff preliminary opinions on parameter values for TPA development and HAZ LA review strategy.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000030393
2. ADAMS accession number	ML083240257
3. Document date	5/25/2007
4. Title	2007/05/25 HLW-Yucca Mountain - Gaps for RTSZ
5. Subject matter description	E-mail Correspondence Regarding Staff Review Strategy.
6. Author(s) name, job title/capacity, affiliation	Paul Bertetti, Technical Reviewer, CNWRA
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	English Percy, Group Manager, CNWRA
8. Relationship between persons listed in 6 and 7	The author and addressee are reviewer/manager at an NRC contractor.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to deciding the review strategy for radionuclide transport through the saturated zone.
11. Explanation why document is deliberative	The document includes an NRC contractor's preliminary opinions on the staff review strategy.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000030399
2. ADAMS accession number	ML083240253
3. Document date	8/8/2007
4. Title	2007/08/08 HLW-Yucca Mountain - FW: colloid questions for DOE
5. Subject matter description	E-mail correspondence regarding preparation for a meeting with DOE.
6. Author(s) name, job title/capacity, affiliation	Paul Bertetti, Technical Reviewer, CNWRA
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	John Bradbury, Geochemist, NRC
8. Relationship between persons listed in 6 and 7	The author is an NRC contractor/reviewer. The addressee is an NRC employee.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to deciding upon potential topics and questions for an upcoming public meeting with DOE.
11. Explanation why document is deliberative	The document includes NRC contractor input to NRC deliberations on potential topics and questions to ask DOE at an upcoming meeting.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege

1. LSN header number	NRC000030411
2. ADAMS accession number	ML083240635
3. Document date	2/6/2008
4. Title	2008/02/06 HLW-Yucca Mountain - RE: Seepage Water Concentration by Evaporation
5. Subject matter description	E-mail correspondence regarding responding to advisory committee question.
6. Author(s) name, job title/capacity, affiliation	Oswaldo Pensado, Technical Reviewer, CNWRA
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Tae Ahn, Senior Materials Engineer, NRC
	Andy Jung, Technical Reviewer, CNWRA
	Pavan Shukla, Technical Reviewer, CNWRA
	Roberto Pabalan, Technical Reviewer, CNWRA
8. Relationship between persons listed in 6 and 7	Xihua He, Technical Reviewer, CNWRA
8. Relationship between persons listed in 6 and 7	The author is an NRC contractor/reviewer. The addressees are NRC and contractor/reviewers.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to deciding how to respond to a question to the Staff from the Advisory Committee on Nuclear Waste and Materials (ACNW&M).
11. Explanation why document is deliberative	The document includes both NRC and contractor discussion of how to answer an ACNW&M question.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege

1. LSN header number	NRC000030412
2. ADAMS accession number	ML083101278
3. Document date	12/8/2006
4. Title	2006/12/08 HLW-Yucca Mountain - RE: Uranophane paper
5. Subject matter description	E-mail correspondence regarding review of a contractor report.
6. Author(s) name, job title/capacity, affiliation	Jim Prikryl, Primary Author, CNWRA
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	David Pickett, Technical Reviewer, CNWRA
8. Relationship between persons listed in 6 and 7	The author and addressee are contractor reviewers.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if	This document relates to discussions on a contractor analysis in support of the Staff's LA review
11. Explanation why document is deliberative	The document includes a contractor discussion on the substance of a draft report supportive of the NRC Staff's LA review.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege	
1. LSN header number	NRC000030504
2. ADAMS accession number	ML083101245
3. Document date	12/22/2006
4. Title	2006/12/22 HLW-Yucca Mountain - RE: Paul's tech review
5. Subject matter description	E-mail correspondence regarding NRC contractor input regarding a key technical issue (KTI) Agreement.
6. Author(s) name, job title/capacity, affiliation	Hakan Basagaoglu, Technical Reviewer, CNWRA
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	David Pickett, Primary Author, CNWRA
8. Relationship between persons listed in 6 and 7	The author and addressee are NRC contractor reviewer/author.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This document relates to NRC contractor recommendations as to the content of an NRC letter to DOE concerning a KTI agreement.
11. Explanation why document is deliberative	The document contains NRC contractor deliberations on what should be included in the contractor's input to NRC.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	The factual information in the e-mail cannot be disclosed without revealing the nature of the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

Deliberative Process Privilege

1. LSN header number	NRC000030705
2. ADAMS accession number	ML092890294
3. Document date	9/30/09
4. Title	FW: ACTION
5. Subject matter description	Burn up credit
6. Author(s) name, job title/capacity, affiliation	Christopher Tripp, Sr. Nuclear Process Engineer, NMSS/FCSS/SPTSD/TSB
7. Addressee(s) name, job title/capacity, affiliation (excluding clerical support staff)	Timothy Sippel, Nuclear Engineer, NMSS/HLWRS/TRD
	Jack Guttman, Branch Chief, NMSS/HLWRS/TRD
8. Relationship between persons listed in 6 and 7	The author and addressee are NRC employees.
9. Name, job title/capacity, organizational position of official who determined that the document meets deliberative process privilege requirements	Aby Mohseni, Deputy Director, Licensing and Inspection Directorate
10. Specific decision, potential decision, or decision-making process and date of decision (if any)	This e-mail discusses ongoing review of License Application, WRT burnup credit, and adequacy of technical bases.
11. Explanation why document is deliberative	Discuss ongoing staff review and deliberations on License Application and supporting materials.
12. Affirmation that document is not a "circulated draft"	This document is not a circulated draft.
13. Explanation why factual information cannot be segregated	Factual material is integrated fully into the deliberations.
14. Type of document	E-Mail
15. Other privileges/protective claimed	None

NRC Primary Privilege Log

Date: 11/23/2009

Addendum: Supplements, Withdrawals, Corrections to DPP Privilege Log

Change Type: Supplements

None.

Change Type: Withdrawals

NRC000030280
NRC000030354
NRC000030322
NRC000030295
NRC000030374
NRC000030385
NRC000030284
NRC000030364
NRC000030300
NRC000030335
NRC000030371
NRC000030326
NRC000030375
NRC000030312
NRC000030314

Change Type: **Corrections**

None.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
U.S. DEPARTMENT OF ENERGY) Docket No. 63-001-HLW
)
(High-Level Waste Repository)) ASLBP Nos. 09-892-HLW-CAB04
)
)

CERTIFICATE OF SERVICE

I hereby certify that copies of the "NOTICE OF CHANGES TO NRC STAFF DELIBERATIVE PROCESS PRIVILEGE LOG" in the above-captioned proceeding have been served on the following persons this 23rd day of November, 2009, by Electronic Information Exchange.

CAB 04

Thomas S. Moore, Chairman
Paul S. Ryerson
Richard E. Wardwell
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
E-mail: tsm2@nrc.gov
psr1@nrc.gov
rew@nrc.gov

Office of the Secretary
ATTN: Docketing and Service
Mail Stop: O-16C1
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
E-mail: HEARINGDOCKET@nrc.gov

Office of Commission Appellate
Adjudication
ocaamail@nrc.gov

Charles J. Fitzpatrick, Esq.
John W. Lawrence, Esq.
Egan, Fitzpatrick, Malsch & Lawrence PLLC
12500 San Pedro Avenue, Suite 555
San Antonio, TX 78216
E-mail: cfitzpatrick@nuclearlawyer.com
jlawrence@nuclearlawyer.com

Martin G. Malsch, Esq.
Egan, Fitzpatrick & Malsch, PLLC
1750 K Street, N.W. Suite 350
Washington, D.C. 20006
E-mail: mmalsch@nuclearlawyer.com

Brian W. Hembacher, Esq.
Deputy Attorney General
California Attorney General's Office
300 South Spring Street
Los Angeles, CA 90013
E-mail: brian.hembacher@doj.ca.gov

Timothy E. Sullivan, Esq.
Deputy Attorney General
California Department of Justice
1515 Clay Street., 20th Flr.
P.O. Box 70550
Oakland, CA 94612-0550
E-mail: timothy.sullivan@doj.ca.gov

Kevin W. Bell, Esq.
Senior Staff Counsel
California Energy Commission
1516 9th Street
Sacramento, CA 95814
E-mail: kwbell@energy.state.ca.us

Bryce C. Loveland
Jennings Strouss & Salmon, PLC
8330 W. Sahara Avenue, Suite 290
Las Vegas, NV 89117-8949
Email: bloveland@jsslaw.com

Alan I. Robbins, Esq.
Debra D. Roby, Esq.
Jennings Strouss & Salmon, PLC
1700 Pennsylvania Ave, NW Suite 500
Washington, D.C. 20005
E-mail: arobbins@jsslaw.com
droby@jsslaw.com

Donald J. Silverman, Esq.
Thomas A. Schmutz, Esq.
Thomas C. Poindexter, Esq.
Paul J. Zaffuts, Esq.
Alex S. Polonsky, Esq.
Lewis Csedrik, Esq.
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue, N.W.
Washington, DC 20004
E-mail: dsilverman@morganlewis.com
tschmutz@morganlewis.com
tpoindexter@morganlewis.com
pzaffuts@morganlewis.com
apolonsky@morganlewis.com
lcsedrik@morganlewis.com

Malachy R. Murphy, Esq.
18160 Cottonwood Rd. #265
Sunriver, OR 97707
E-mail: mrmurphy@chamberscable.com

Robert M. Andersen
Akerman Senterfitt
801 Pennsylvania Avenue N.W., Suite 600
Washington, DC 20004 USA
E-mail: robert.andersen@akerman.com

Martha S. Crosland, Esq.
Angela M. Kordyak, Esq.
Nicholas P. DiNunzio
James Bennett McRae, Esq.
U.S. Department of Energy
Office of the General Counsel
1000 Independence Avenue, S.W.
Washington, DC 20585
E-mail: martha.crosland@hq.doe.gov
angela.kordyak@hq.doe.gov
nick.dinunzio@rw.doe.gov
ben.mcrae@hq.doe.gov

George W. Hellstrom
U.S. Department of Energy
Office of General Counsel
1551 Hillshire Drive
Las Vegas, NV 89134-6321
E-Mail: george.hellstrom@ymp.gov

Jeffrey D. VanNiel, Esq.
530 Farrington Court
Las Vegas, NV 89123
E-mail: nbridvn@gmail.com

Susan L. Durbin, Esq.
Deputy Attorney General
1300 I Street
P.O. Box 944255
Sacramento, CA 94244-2550
E-mail: susan.durbin@doj.ca.gov

Frank A. Putzu
Naval Sea Systems Command Nuclear
Propulsion Program
1333 Isaac Hull Avenue, S.E.
Washington Navy Yard, Building 197
Washington, DC 20376
E-mail: frank.putzu@navy.mil

John M. Peebles
Darcie L. Houck
Fredericks Peebles & Morgan LLP
1001 Second Street
Sacramento, CA 95814
E-mail: jpeebles@ndnlaw.com
dhouck@ndnlaw.com

Ellen C. Ginsberg
Michael A. Bauser
Anne W. Cottingham
Nuclear Energy Institute, Inc.
1776 I Street, N.W., Suite 400
Washington, D.C. 20006
E-mail: ecg@nei.org
mab@nei.org
awc@nei.org

David A. Repka
William A. Horin
Rachel Miras-Wilson
Winston & Strawn LLP
1700 K Street N.W.
Washington, D.C. 20006
E-mail: drepka@winston.com
whorin@winston.com
rwilson@winston.com

Jay E. Silberg
Timothy J.V. Walsh
Pillsbury Winthrop Shaw Pittman LLP
2300 N Street, N.W.
Washington, D.C. 20037-1122
E-mail: jay.silberg@pillsburylaw.com
timothy.walsh@pillsburylaw.com

Gregory L. James
710 Autumn Leaves Circle
Bishop, California 93514
Email: gjames@earthlink.net

Arthur J. Harrington
Godfrey & Kahn, S.C.
780 N. Water Street
Milwaukee, WI 53202
E-mail: aharring@gklaw.com

Steven A. Heinzen
Douglas M. Poland
Hannah L. Renfro
Godfrey & Kahn, S.C.
One East Main Street, Suite 500
P.O. Box 2719
Madison, WI 53701-2719
E-mail: sheinzen@gklaw.com
dpoland@gklaw.com
hrenfro@gklaw.com

Robert F. List, Esq.
Jennifer A. Gores, Esq.
Armstrong Teasdale LLP
1975 Village Center Circle, Suite 140
Las Vegas, NV 89134-6237
E-mail: rlist@armstrongteasdale.com
jgores@armstrongteasdale.com

Diane Curran
Harmon, Curran, Spielberg, & Eisenberg,
L.L.P.
1726 M Street N.W., Suite 600
Washington, D.C. 20036
E-mail: dcurran@harmoncurran.com

Ian Zabarte, Board Member
Native Community Action Council
P.O. Box 140
Baker, NV 89311
E-mail: mrizabarte@gmail.com

Richard Sears
District Attorney No. 5489
White Pine County District Attorney's Office
801 Clark Street, Suite 3
Ely, NV 89301
E-mail: rwsears@wpcda.org

Donald P. Irwin
Michael R. Shebelskie
Kelly L. Faglioni
Hunton & Williams LLP
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond, VA 23219-4074
E-mail: dirwin@hunton.com
mshbelskie@hunton.com
kfaglioni@hunton.com

Curtis G. Berkey
Scott W. Williams
Rovianne A. Leigh
Alexander, Berkey, Williams, & Weathers
LLP
2030 Addison Street, Suite 410
Berkley, CA 94704
E-mail: cberkey@abwwlaw.com
swilliams@abwwlaw.com
rleigh@abwwlaw.com

Bret O. Whipple
1100 South Tenth Street
Las Vegas, Nevada 89104
E-mail: bretwhipple@nomademail.com

Gregory Barlow
P.O. Box 60
Pioche, Nevada 89043
E-mail: lca@lcturbonet.com

Connie Simkins
P.O. Box 1068
Caliente, Nevada 89008
E-mail: jcciac@co.lincoln.nv.us

Dr. Mike Baughman
Intertech Services Corporation
P.O. Box 2008
Carson City, Nevada 89702
E-mail: bigoff@aol.com

Michael Berger
Robert S. Hanna
Attorney for the County of Inyo
233 East Carrillo Street Suite B
Santa Barbara, California 93101
E-mail: mberger@bsglaw.net
rshanna@bsglaw.net

/Signed (electronically) by/

Margaret J. Bupp
Counsel for the NRC Staff
U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop O-15D21
Washington, DC 20555-0001
(301) 415-3722
mjb5@nrc.gov