

September 12, 2011

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 No. 09-892-HLW-CAB04
	)	

NRC STAFF NOTIFICATION REGARDING TECHNICAL EVALUATION  
REPORT ISSUANCE AND SAFETY EVALUATION REPORT VOLUMES 2 AND 5

The U.S. Nuclear Regulatory Commission (NRC) staff (Staff) previously indicated that orderly closure activities under the Continuing Resolution would include documenting technical insights on the Department of Energy's license application. See NRC Staff Response to December 8, 2010 Board Order and Notification Regarding SER Volume 4 Issuance, dated December 22, 2010, at 5; NRC Staff Answer to Motion for an Order Restoring Technical Review of the Yucca Mountain License Application, dated October 18, 2010, at 3-5. This notification is to inform the Board that on September 12, 2011, the Staff issued "Technical Evaluation Report on the Content of the U.S. Department of Energy's Yucca Mountain Repository License Application; Administrative and Programmatic Volume." This is the last volume of the technical evaluation report on the Department of Energy's license application and is available in the Publicly Available Records System of the NRC's Agencywide Documents Access and Management System (ADAMS), at Accession Number ML112500484.

In addition, the Staff previously advised the Board that, for case management purposes, it could assume that Safety Evaluation Report (SER) Volumes 2 and 5 would be issued in October 2011 and February 2012, respectively, and that the Staff would inform the Board if this assumption was no longer realistic. See NRC Staff Answer to the CAB's July 21, 2009 Order

Concerning Serial Case Management, dated July 28, 2009, at 2. This notification is also to inform the Board that, due to orderly closure activities and uncertainty regarding future funding, it is no longer realistic to assume that the Staff will issue SER Volumes 2 and 5 in October 2011 and February 2012, respectively, and the Staff is unable to provide issuance dates for these SER Volumes at this time.

Respectfully submitted,

**/Signed (electronically) by/**

Jessica A. Bielecki  
Counsel for NRC Staff  
U.S. Nuclear Regulatory Commission  
Office of the General Counsel  
Mail Stop O-15D21  
Washington, DC 20555-0001  
(301) 415-1391  
[Jessica.Bielecki@nrc.gov](mailto:Jessica.Bielecki@nrc.gov)

Dated at Rockville, Maryland  
this 12th day of September, 2011

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CERTIFICATE OF SERVICE

I hereby certify that copies of the "NRC STAFF NOTIFICATION REGARDING TECHNICAL EVALUATION REPORT ISSUANCE AND SAFETY EVALUATION REPORT VOLUMES 2 AND 5" in the above-captioned proceeding have been served on the following persons this 12th day of September, 2011, 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, DC 20555-0001  
E-mail: [tsm2@nrc.gov](mailto:tsm2@nrc.gov)  
[psr1@nrc.gov](mailto:psr1@nrc.gov)  
[rew@nrc.gov](mailto:rew@nrc.gov)

Office of the Secretary  
ATTN: Docketing and Service  
Mail Stop: O-16C1  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555  
E-mail: [HEARINGDOCKET@nrc.gov](mailto:HEARINGDOCKET@nrc.gov)

Office of Commission Appellate  
Adjudication  
[ocaamail@nrc.gov](mailto:ocaamail@nrc.gov)

Charles J. Fitzpatrick, Esq.  
John W. Lawrence, Esq.  
Egan, Fitzpatrick, Malsch & Lawrence PLLC  
1777 N.E. Loop 410, Suite 600  
San Antonio, TX 78217  
E-mail: [cfitzpatrick@nuclearlawyer.com](mailto:cfitzpatrick@nuclearlawyer.com)  
[jlawrence@nuclearlawyer.com](mailto:jlawrence@nuclearlawyer.com)

Martin G. Malsch, Esq.  
Egan, Fitzpatrick & Malsch, PLLC  
1750 K Street, N.W. Suite 350  
Washington, DC 20006  
E-mail: [mmalsch@nuclearlawyer.com](mailto: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](mailto:brian.hembacher@doj.ca.gov)

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

Kevin W. Bell, Esq.  
Senior Staff Counsel  
California Energy Commission  
1516 9<sup>th</sup> Street  
Sacramento, CA 95814  
E-mail: [kwbell@energy.state.ca.us](mailto:kwbell@energy.state.ca.us)

Alan I. Robbins, Esq.  
Debra D. Roby, Esq.  
Alan J. Rukin, Esq.  
Jennings Strouss & Salmon, PLC  
1350 I Street, NW Suite 810  
Washington, DC 20005-3305  
E-mail: [arobbins@jsslaw.com](mailto:arobbins@jsslaw.com)  
[droby@jsslaw.com](mailto:droby@jsslaw.com)  
[ARukin@jsslaw.com](mailto:ARukin@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.  
Raphael P. Kuyler, Esq.  
Morgan, Lewis & Bockius LLP  
1111 Pennsylvania Avenue, N.W.  
Washington, DC 20004  
E-mail: [dsilverman@morganlewis.com](mailto:dsilverman@morganlewis.com)  
[tschmutz@morganlewis.com](mailto:tschmutz@morganlewis.com)  
[tpoindexter@morganlewis.com](mailto:tpoindexter@morganlewis.com)  
[pzaffuts@morganlewis.com](mailto:pzaffuts@morganlewis.com)  
[apolonsky@morganlewis.com](mailto:apolonsky@morganlewis.com)  
[lcsedrik@morganlewis.com](mailto:lcsedrik@morganlewis.com)  
[rkuyler@morganlewis.com](mailto:rkuyler@morganlewis.com)

Malachy R. Murphy, Esq.  
18160 Cottonwood Rd. #265  
Sunriver, OR 97707  
E-mail: [mrmurphy@chamberscable.com](mailto:mrmurphy@chamberscable.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](mailto:susan.durbin@doj.ca.gov)

Ross D. Colburn  
2020 L Street, Suite 250  
Sacramento, CA 95811  
E-mail: [rcolburn@ndnlaw.com](mailto:rcolburn@ndnlaw.com)

Shane Thin Elk  
Fredericks Peebles & Morgan, LLP  
3610 North 163rd Plaza  
Omaha, Nebraska 68116  
E-mail: [sthinelk@ndnlaw.com](mailto:sthinelk@ndnlaw.com)

Martha S. Crosland, Esq.  
Angela M. Kordyak, Esq.  
Nicholas P. DiNunzio  
James Bennett McRae, Esq.  
Sean A. Lev  
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](mailto:martha.crosland@hq.doe.gov)  
[angela.kordyak@hq.doe.gov](mailto:angela.kordyak@hq.doe.gov)  
[nick.dinunzio@rw.doe.gov](mailto:nick.dinunzio@rw.doe.gov)  
[ben.mcrae@hq.doe.gov](mailto:ben.mcrae@hq.doe.gov)  
[Sean.Lev@hq.doe.gov](mailto:Sean.Lev@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](mailto:george.hellstrom@ymp.gov)

Robert M. Andersen  
Akerman Senterfitt LLP  
750 9<sup>th</sup> N.W., Suite 750  
Washington, DC 20001  
E-mail: [robert.andersen@akerman.com](mailto:robert.andersen@akerman.com)

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](mailto: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](mailto:jpeebles@ndnlaw.com)  
[dhouck@ndnlaw.com](mailto:dhouck@ndnlaw.com)

Ellen C. Ginsberg  
Anne W. Cottingham  
Jerry Bonanno  
Nuclear Energy Institute, Inc.  
1776 I Street, N.W., Suite 400  
Washington, DC 20006  
E-mail: [ecg@nei.org](mailto:ecg@nei.org)  
[awc@nei.org](mailto:awc@nei.org)  
[jxb@nei.org](mailto:jxb@nei.org)

Kelly Brown  
District Attorney  
White Pine County District Attorney's Office  
801 Clark Street  
Ely, NV 89301  
E-mail: [kbrown@mwpower.net](mailto:kbrown@mwpower.net)

David A. Repka  
William A. Horin  
Rachel Miras-Wilson  
Winston & Strawn LLP  
1700 K Street N.W.  
Washington, DC 20006  
E-mail: [drepka@winston.com](mailto:drepka@winston.com)  
[whorin@winston.com](mailto:whorin@winston.com)  
[rwilson@winston.com](mailto:rwilson@winston.com)

Jay E. Silberg  
Timothy J.V. Walsh  
Pillsbury Winthrop Shaw Pittman LLP  
2300 N Street, N.W.  
Washington, DC 20037-1122  
E-mail: [jay.silberg@pillsburylaw.com](mailto:jay.silberg@pillsburylaw.com)  
[timothy.walsh@pillsburylaw.com](mailto:timothy.walsh@pillsburylaw.com)

Gregory L. James  
712 Owens Gorge Road  
HC 79, Box 11  
Mammoth Lakes, California 93546  
Email: [gljames@earthlink.net](mailto:gljames@earthlink.net)

Arthur J. Harrington  
Godfrey & Kahn, S.C.  
780 N. Water Street  
Milwaukee, WI 53202  
E-mail: [aharring@gklaw.com](mailto: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](mailto:sheinzen@gklaw.com)  
[dpoland@gklaw.com](mailto:dpoland@gklaw.com)  
[hrenfro@gklaw.com](mailto: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](mailto:rlist@armstrongteasdale.com)  
[jgores@armstrongteasdale.com](mailto:jgores@armstrongteasdale.com)

Diane Curran  
Harmon, Curran, Spielberg, & Eisenberg,  
L.L.P.  
1726 M Street N.W., Suite 600  
Washington, DC 20036  
E-mail: [dcurran@harmoncurran.com](mailto:dcurran@harmoncurran.com)

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

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](mailto:dirwin@hunton.com)  
[mshebelskie@hunton.com](mailto:mshebelskie@hunton.com)  
[kfaglioni@hunton.com](mailto: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](mailto:cberkey@abwwlaw.com)  
[swilliams@abwwlaw.com](mailto:swilliams@abwwlaw.com)  
[rleigh@abwwlaw.com](mailto:rleigh@abwwlaw.com)

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

Gregory Barlow  
P.O. Box 60  
Pioche, Nevada 89043  
E-mail: [lcda@lcturbonet.com](mailto:lcda@lcturbonet.com)

Michael L. Dunning  
Andrew A. Fitz  
H. Lee Overton  
Jonathan C. Thompson  
Todd R. Bowers  
State of Washington  
Office of the Attorney General  
P.O. Box 40117  
Olympia, WA 98504-0117  
E-mail: [MichaelD@atq.wa.gov](mailto:MichaelD@atq.wa.gov)  
[AndyF@atq.wa.gov](mailto:AndyF@atq.wa.gov)  
[LeeO1@atq.wa.gov](mailto:LeeO1@atq.wa.gov)  
[JonaT@atq.wa.gov](mailto:JonaT@atq.wa.gov)  
[toddb@atq.wa.gov](mailto:toddb@atq.wa.gov)

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

Kenneth P. Woodington  
Davidson & Lindemann, P.A.  
1611 Devonshire Drive  
P.O. Box 8568  
Columbia, SC 29202  
E-mail: [kwoodington@dml-law.com](mailto:kwoodington@dml-law.com)

Thomas R. Gottshall  
S. Ross Shealy  
Haynesworth Sinkler Boyd, PA  
1201 Main Street, Suite 2200  
Post Office Box 11889  
Columbia, SC 29211-1889  
E-mail: [tgottshall@hsblawfirm.com](mailto:tgottshall@hsblawfirm.com)  
[rshealy@hsblawfirm.com](mailto:rshealy@hsblawfirm.com)

Dr. Mike Baughman  
Intertech Services Corporation  
P.O. Box 2008  
Carson City, Nevada 89702  
E-mail: [bigboff@aol.com](mailto:bigboff@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@bsqlaw.net](mailto:mberger@bsqlaw.net)  
[rshanna@bsqlaw.net](mailto:rshanna@bsqlaw.net)

Philip R. Mahowald  
Prairie Island Indian Community  
5636 Sturgeon Lake Road  
Welch, MN 55089  
E-mail: [pmahowald@piic.org](mailto:pmahowald@piic.org)

James Bradford Ramsay  
National Association of Regulatory Utility  
Commissioners  
1101 Vermont Avenue NW, Suite 200  
Washington, DC 20005  
E-mail: [jramsay@naruc.org](mailto:jramsay@naruc.org)

Don L. Keskey  
Public Law Resource Center PLLC  
505 N. Capitol Avenue  
Lansing, MI 48933  
E-mail: [donkeskey@publiclawresourcecenter.com](mailto:donkeskey@publiclawresourcecenter.com)

**/Signed (electronically) by/**

Jessica A. Bielecki  
Counsel for the NRC Staff  
U.S. Nuclear Regulatory Commission  
Office of the General Counsel  
Mail Stop O-15D21  
Washington, DC 20555-0001  
(301) 415-1391  
E-mail: [Jessica.Bielecki@nrc.gov](mailto:Jessica.Bielecki@nrc.gov)