

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/

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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

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