

California Energy Commission License Support Network (LSN) Procedures

Submitted by:

California Energy Commission

January 12, 2008

1. Summary

In 1982, the United States Congress, in accordance with the Nuclear Waste Policy Act (NWPA), made the United States Department of Energy (DOE) responsible for the development of a geologic repository for the safe disposal of high-level radioactive waste and spent nuclear fuel. The DOE then selected nine locations for consideration as potential sites. Congress amended the NWPA in 1987 and directed the DOE to study only Yucca Mountain in Nevada as a potential repository site. In July 2002 Congress approved the development of a repository at Yucca Mountain. Subsequently, President George W. Bush signed House Joint Resolution 87, allowing the DOE to proceed in establishing a safe repository in which to store our nation's nuclear waste.

The DOE Office of Civilian Radioactive Waste Management (OCRWM) is currently preparing a license application (LA) that it estimates will be submitted to the United States Nuclear Regulatory Commission (NRC) on June 30, 2008.

2. License Support Network

In conjunction with the LA submittal, the NRC has established the Licensing Support Network (LSN). The LSN allows the DOE, Affected Units of Local Governments (AULG), and other interested parties to submit documents that will be relied on as evidence during the Yucca Mountain proceeding.

The purpose of this document is to establish procedures for the collection and certification of documentation for inclusion in the LSN in accordance with 10 CFR §2.1003, and that, to the best of the official's knowledge, the documentary material specified in 10 CFR §2.1003 has been identified and made electronically available.

3. Identification, Collection and Certification of LSN Documents

The Nuclear Policy Advisor (NPA) for the California Energy Commission will be responsible for locating, evaluating, and characterizing documents for inclusion in the LSN through the use of California Energy Commission staff and support contractors. Applying criteria contained in 10 CFR §2.1003, 10 CFR §2.1009 and other applicable federal regulations, the NPA, in consultation with the Executive Director, will screen documents that are appropriate for inclusion in the LSN. Where appropriate, the NPA will consult Staff Counsel as to form and legality of such material. The NPA will consult with other Commission staff and support contractors as necessary to evaluate potential material's appropriateness for inclusion in the LSN. The NPA will finally determine the material that is appropriate for inclusion in the LSN and submit that material to the Executive Director who has the discretion to certify material and submit it to the LSN.

STANDARD OPERATING PROCEDURES FOR SUBMITTAL OF DOCUMENTS TO THE LICENSING SUPPORT NETWORK (LSN)

1. Review of document by NPA, Commission Staff and support contractors for possible submittal to LSN.
2. Submit Staff's recommendation and document to Staff Counsel for review as to form and legality.
3. After review by Staff Counsel, the NPA will present the document to the Executive Director for submittal to the LSN.
4. Obtain certification from U.S. Nuclear Regulatory Commission that document has been submitted.

4. Basis for Certification of Documents Collected to Date of this Procedure

The California Energy Commission on behalf of the State of California since 1989 has prepared and submitted to DOE numerous documents addressing potential impacts to the State of California from the proposed repository at Yucca Mountain. The California Energy Commission coordinates two California inter-agency working groups consisting of experts in groundwater hydrology, National Environmental Policy Act (NEPA) requirements, transportation, emergency response, geochemistry, geology, and radionuclide chemistry. These working groups have prepared comments on various NEPA documents related to the proposed repository. These comments focus on impacts such as: transportation of high-level radioactive waste through the State of California, impacts on groundwater resources in the State of California, and other environmental impacts on the State of California.

These documents were screened by the NPA and Commission Staff and its support contractors according to the standards outlined in 10 CFR §2.1003 and 10 CFR §2.1009, and the procedures contained herein in Section Three of this document. The California Energy Commission created electronic images and searchable full text of submitted documents, as well as bibliographic headers for the documents consistent with LSN regulations.

These activities provide the basis for the Executive Director to certify that the California Energy Commission has implemented procedures required by 10 CFR §2.1009 (a)(2). In addition, to the best of the Executive Director's knowledge, licensing documents, as well as those categories of documentary materials specified in 10 CFR §2.1003, have been identified and made electronically

available. These procedures create a reasonable basis for the Commission's initial certification.

5. Procedures for Future Submittals to the LSN by the California Energy Commission

The California Energy Commission's collection, processing, and review efforts will continue for documents identified after December 6, 2007. Any documentary material identified after this date will be made available as required by LSN regulations as per 10 CFR §2.1003.

6. Challenging Integrity, Validity, or Availability of Submitted LSN Documents by the California Energy Commission

Any challenge to the Commission's LSN documents shall be submitted in writing to the Nuclear Policy Advisor for the California Energy Commission, 1516 9th Street, Sacramento, California, 95814. The Executive Director shall respond to the challenging party within 20 working days of receipt via certified letter, and any decision made thereafter by the Executive Director regarding the document is final.

INITIAL CERTIFICATION BY THE EXECUTIVE DIRECTOR

I certify that the California Energy Commission has implemented procedures as required by 10 CFR §2.1009 (a)(2) and to the best of my knowledge, the documentary material specified in 10 CFR §2.1003 has been identified from those documents submitted and made electronically available. Pursuant to LSN regulations, the California Energy Commission will provide additional documentary material that it may hereafter identify.

Date: January 12, 2008

Signed:

MELISSA JONES
EXECUTIVE DIRECTOR