

March 16, 2000

Mr. Suneel Kapur  
Office of Strategic Planning and Program Evaluation  
U.S. Department of Energy  
CR 72 Mail Stop 4B172  
1000 Independence Avenue, SW  
Washington, DC 20585

Dear Mr. Kapur:

As requested in Morley Winograd's February 11, 2000 memorandum, we have the following comments on Secretary Richardson's Performance Agreement with the President for the Department of Energy.

National Security

The report should be updated to reflect the new NNSA organization.

NS5-2 in the performance target associated with MPC&A upgrades does not reflect significant NRC involvement. Suggest a re-write to say [" . . . **and support, in cooperation with NRC, enhancements to regulatory programs for MPC&A in Russia and other NIS.**"] Page 15

Environmental Quality

This section should include DOE's legislative mandate to develop a repository for greater than Class C radioactive waste (GTCC).

EQ2-4 in the last bullet mentions commitments to the Ohio EPA, among others, to ensure safety of DOE's depleted UF<sub>6</sub>. The State of Kentucky should also be mentioned since the single highest inventory of depleted UF<sub>6</sub> is stored at the Paducah Gaseous Diffusion Plant. Page 18

EQ5-1 concerning Yucca Mountain does not discuss performance targets for resolving the nine NRC Key Technical Issues which is desirable before a license application is submitted for NRC review. Page 19

Thank you for the opportunity to comment on the Agreement.

Sincerely,

/RA/

Martin J. Virgilio, Deputy Director  
Office of Nuclear Material Safety  
and Safeguards

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