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ADDRESSEE: RICHARD MESERVE

SUBJECT: NRC'S PROPOSED CHANGE TO INFORMAL LICENSING HEARINGS FOR THE HIGH-LEVEL NUCLEAR WASTE REPOSITORY AT YUCCA MOUNTAIN

ACTION: Signature of Chairman

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June 20, 2000

Chairman Richard Meserve
Nuclear Regulatory Commission
One White Flint North
11555 Rockville Pike
Rockville, Maryland 20852-2738

Dear Chairman Meserve,

I am writing to express my great concern about the Nuclear Regulatory Commission's proposed change to informal licensing hearings for the high-level nuclear waste repository at Yucca Mountain. The changes you propose would alter the licensing process from one that is analogous to a court room proceeding to a much less rigorous administrative procedure. This is unlikely to inspire confidence in the NRC or in its findings on Yucca Mountain.

In the current atmosphere of skepticism about Yucca Mountain, and concerns about the objectivity and independence of NRC's regulatory role, it would seem unwise to adopt a "streamlined" approach to the licensing process. I am concerned not only that the proposed change would undermine the trust of our constituents in their government, but also that an informal process would lead to a less deliberate evaluation of the site. This would potentially endanger the safety of America's citizens and the environment.

The citizens of Nevada, in particular, are placed at the greatest risk under these new guidelines. They will be the ones obliged to forego the usual opportunities for cross-examination, discovery, and written transcripts that should be afforded to this first-of-a-kind project. There are already serious doubts in Nevada about the suitability of the Yucca Mountain site, where hazardous nuclear materials will reside for tens of thousands of years. In the larger picture of our nuclear waste dilemma, the weeks or months of hearings that will be eliminated by streamlining this process matter very little compared to the length of time that Nevada and its residents must accept the risks from nuclear waste.

Nevadans, of course, have already sacrificed a great deal to bolster the Nation's nuclear deterrent during the above ground testing of nuclear warheads. Changing the rules in the middle of the game will only encourage the Nevada public to conclude that this proposal is intended to limit the depth of inquiry into the science of Yucca Mountain and to expedite the approval of the repository.

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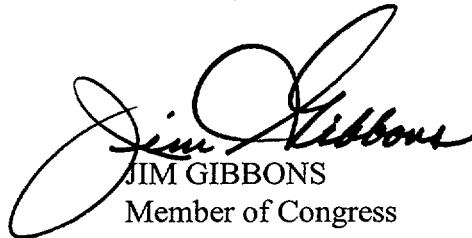
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Chairman Richard Meserve
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I can understand that informal hearings regarding certain licensing categories before the Commission are necessary, but Yucca Mountain is an exceptional project and should be subject to the most rigorous proceedings. I urge your rejection of the proposed blanket approach to informal hearings and insist on full, formal hearings before the Commission.

Please do not hesitate to contact me, or Jack Victory of my Washington, D.C. staff, should you wish to discuss this matter further. I also request that you inform me of your decision prior to its implementation.

Sincerely,



JIM GIBBONS
Member of Congress

JG/jv