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The Under Secretary of Energy
Washington, DC 20585
January 18, 2001

The Honorable Richard A. Meserve
Chairman
U. S. Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852-2738

Dear Mr. ^{Dick} Chairman:

This is in response to your September 5, 2000, letter expressing concerns regarding storage of certain spent nuclear fuel at the General Atomics facility near San Diego. We are pleased to learn from your letter that General Atomics has put additional protective measures in place at their fuel storage facility. Based on discussions between your staff and mine at a meeting on November 11, 2000, we understand that the spent fuel is safely stored, and we trust that the Nuclear Regulatory Commission will ensure the continued safe and secure storage of this material. Additionally, discussions took place at the meeting with respect to your suggestion that the Department of Energy (DOE) take early possession of the spent fuel and transfer it to a DOE facility. We are now reviewing and evaluating various aspects of such an action on the part of DOE.

The Department plans to transfer the DOE-owned material currently stored in the General Atomics facility to the Idaho National Engineering and Environmental Laboratory in 2003. The remaining spent fuel, the subject of your letter, is owned by General Atomics and is to be received by DOE under a contract signed in accordance with the Nuclear Waste Policy Act. Certain complex issues must be resolved before the Department could change its current plans for receiving the General Atomics-owned spent fuel. We will continue to analyze the issues and work with your staff as appropriate.

Thank you for bringing your concern to my attention. If you have further questions, please contact Mr. David Huizenga, Deputy Assistant Secretary for Integration and Disposition, at (202) 586-5151.

Sincerely,

Ernest J. Moniz