

November 29, 2001

The Honorable Harry Reid
United States Senate
Washington, D.C. 20510

Dear Senator Reid:

I am writing to inform you that, in light of the alleged release of an early version of the staff's Yucca Mountain Review Plan (YMRP), the Commission has decided to make a version of the draft YMRP (enclosed) available to the State of Nevada and other stakeholders. The Commission has not approved this or any other version of the YMRP. Although we believe that this July 2000 version is the version that may have been released, it should be recognized that, as of this date, the investigation by NRC's Inspector General into the alleged release is not complete and the facts are yet to be revealed. Consequently, there is some continuing uncertainty regarding the nature and extent of the alleged release.

Review plans provide guidance to the NRC staff on the conduct of a review of a potential license application and it is common for drafts of these plans to be published for public comment. The version of the YMRP that is being provided to you and placed on NRC's web site is out-of-date, obsolete, and potentially misleading because it is not consistent with the NRC or EPA final rules applicable to Yucca Mountain. Consequently, although we are making this early version of the draft YMRP public, we are not requesting public comments on it. Since publication of NRC's final regulations at 10 C.F.R. Part 63 on November 2, 2001, the staff has been working to conform the YMRP with those regulations. It is the Commission's intention to provide an opportunity for the public to comment on the YMRP when this revision is complete. We expect this will occur sometime after the first of the year.

If you have any questions or comments, please contact me.

Sincerely,

/RA/

Richard A. Meserve

Enclosure: As stated

Identical letters to:

The Honorable Harry Reid
United States Senate
Washington, D.C. 20510

The Honorable John Ensign
United States Senate
Washington, D.C. 20510

The Honorable Shelley Berkley
United States House of Representatives
Washington, D.C. 20515

The Honorable Jim Gibbons
United States House of Representatives
Washington, D.C. 20515