

May 10, 2002

Mr. Mel Silberberg  
524 Meadowrun Street  
Thousand Oaks, California 91360

Dear Mr. Silberberg:

I am responding on behalf of the U.S. Nuclear Regulatory Commission (NRC) to your letter of February 26, 2002, concerning the NRC's high-level radioactive waste (HLW) management program. In that letter, you express a number of concerns about the adequacy of this program in light of the absence of independent research carried out by the NRC's Office of Nuclear Regulatory Research.

In a May 2001 letter to you, Martin Virgilio, Director of the Office of Nuclear Materials Safety and Safeguards, noted NRC's belief that the present arrangement for directing and managing technical assistance activities at the Center for Nuclear Waste Regulatory Analysis (CNWRA) has resulted in NRC being well positioned to support an independent review of any potential license application for a geologic repository. Although your most recent letter provides further elaboration on your previously stated concerns, the Commission has not found that additional information persuasive as it pertains to the review of a possible application for construction.

Nonetheless, we recognize that the unique, first-of-a-kind nature of geologic disposal is likely to have scientific and engineering uncertainties despite efforts to reduce such uncertainties. Consequently, there may be some areas for which NRC may need to undertake some additional research. In this regard, the NRC staff from the Office of Nuclear Material Safety and Safeguards and the Office of Nuclear Regulatory Research are examining how such potential future needs can be identified and prioritized as part of an overall reevaluation of the research program at NRC. Of course, all this is predicated on Congressional approval of a resolution that would allow DOE to apply to the NRC for a construction authorization.

I can assure you that the Commission highly values the contribution of the Office of Nuclear Regulatory Research. We intend to call upon the office as necessary to support NRC regulatory decisions.

We appreciate your continuing interest in the NRC's research program.

Sincerely,

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Richard A. Meserve