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NEVADA NUCLEAR WASTE TASK FORCE, INCORPORATED

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September 10, 2002 (3:23PM)

The Honorable Richard A. Meserve, Chairman
U.S Nuclear Regulatory Commission
Washington, DC 20555-0001

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Dear Chairman Meserve:

The Nevada Nuclear Waste Task Force has received several inquiries and comments regarding Nuclear Regulatory Commission rules and the implications for licensing procedures regarding Yucca Mountain. The Commission has had a large number of rulemakings and other documents released for comment recently and people with an interest in the federal high-level nuclear waste program are paying close attention to whether or not any of them would impact the public process if there is a licensing hearing for a repository at Yucca Mountain

One such rulemaking is the Cost Recovery for Contested Hearings Involving U.S. National Security Initiatives. This rule would require petitioners to pay all of the NRC's costs resulting from any contested action that involves "national security initiatives." The most important question is: Is Yucca Mountain a national security initiative? Who determines that? If Yucca Mountain is considered to be "in the country's national or homeland security interest," will the licensing process be different from that used for facilities that are not defined that way?

It is very likely that any action in regard to Yucca Mountain will be contested. Will this rulemaking or other new rules or changes result in costs to organizations or individuals who file petitions with the Commission?

As both the Department of Energy and the Commission begin to enter the licensing phase of the repository program, it is very important for the public to have information. Two people have told me that they called the Commission, in Rockville, and they received conflicting answers to the questions I have asked here. Please clarify these issues and answer the above questions so that I am able to assist people who call this office with questions about these topics.

Sincerely,


Judy Treichel
Executive Director

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