

June 1, 1998

Mr. Michael J. Kelly, Managing Editor
Las Vegas Sun
P.O. Box 4275
Las Vegas, Nevada 89127

Dear Mr. Kelly:

I am writing in regard to two recent articles by Mary Manning, of your staff. A May 15, 1998, article provided a well-balanced and fair representation of the information from the U.S. Nuclear Regulatory Commission's (NRC) public meeting of May 13, 1998. Unfortunately, the previous May 7, 1998, article by this reporter entitled "Missing Yucca Information Bothers Licensing Agency" contained some erroneous information and quotations that I would like to correct for your readers in the following paragraphs.

The article indicated that, at a meeting on the Department of Energy's (DOE) Quality Assurance Program that took place on March 6, 1998, Dr. Carl Paperiello from the NRC headquarters said, "...the extensive list of missing scientific evidence usually kept in bound notebooks left his view of licensing Yucca Mountain 'not as rosy as some around this table....'" In fact, Dr. Paperiello, Director of the Office of Nuclear Material Safety and Safeguards, NRC, was in attendance only as an observer during the latter part of the meeting; at no time did he make any statements or participate. Secondly, at no time did anyone indicate that scientific evidence was missing. Rather, DOE Quality Assurance personnel have identified some cases where scientists contracted by DOE are not following all detailed procedures for recording scientific data in notebooks.

In a later paragraph, the article stated that Bill Belke, NRC On-site Representative, reported to the Nevada Legislative Committee in March that "...the project could not receive a license because too much data was missing or invalid." Transcripts of the Committee meeting indicate that Mr. Belke made no such comment. The Commission's decision whether to grant DOE authorization to construct the Yucca Mountain repository will be based on a review and consideration of DOE's license application and environmental impact statement in light of all the information introduced in NRC's formal licensing process. At the present time, it is our understanding that DOE plans to submit the license application for the repository in fiscal year 2002.

Lastly, your reporter indicated that "...the licensing agency stopped work at Yucca Mountain in the late '80s. It took more than a year for DOE to meet the NRC's concerns to resume its studies." In fact, it was DOE, not NRC (the licensing agency), that issued the stop work order. Since DOE is not yet an applicant or licensee, NRC generally does not have authority to stop the work of DOE or its contractors.

Sincerely,

John T. Greeves, Director
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

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Margaret V. Federline, Deputy Director
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