

Mr. Malachy R. Murphy
 Regulatory and Licensing Advisor
 Nye County Nuclear Waste Repository Project Office
 1014 Carlyon Avenue SE
 Olympia, WA 98501

Dear Mr. Murphy:

I am responding to your letter dated August 6, 1999. You commented on our Rev. 2 of the Issue Resolution Status Report (IRSR) on Unsaturated and Saturated Flow Under Isothermal Conditions. You noted a concern that our IRSR in three places incorrectly refers to "DOE's cooperative drilling program with Nye County." You properly point out that any such reference to the U.S. Department of Energy (DOE), in the context of Nye County's Early Warning Drilling Program (EWDP), is inaccurate. You emphasize the importance of accurately referring to the EWDP as a Nye County program, given the importance to the country of Nye County's independence and neutrality.

We appreciate and accept your comment. While the cover letter and most references in the IRSR correctly refer to "Nye County wells" and the "Nye County drilling program," we will amend the next revision of the IRSR to remove the incorrect references to DOE, and will refer instead to the "Nye County drilling program." We are also sending a copy of this letter to all recipients of the IRSR, together with our suggestion that they correct the references to DOE (see pages 109, 158, 160, and 188). We regret any confusion or concern we may have caused the county.

Your letter also referred to DOE's use of the Nye County data in licensing. You suggested that we send a letter to DOE concerning whether the Nye County data are acceptable with regard to quality assurance. We discussed this with DOE, and understand that DOE intends to qualify the county's data to use in licensing. If in the future we obtain information to the contrary, we will consider your suggestion to send a letter to DOE regarding qualification and use of Nye County's data. Further, during the NRC's limited observations of the Nye County drilling activities, nothing was observed that caused us to question the data quality.

Again, we appreciate your comments on our IRSR and look forward to the results from the next phase of Nye County's drilling program. If you have any questions, please call Neil Coleman at (301) 415-6615, or reach him through email at nmc@nrc.gov.

Sincerely,

C. William Reamer, Chief
 High-Level Waste and Performance Assessment Branch
 Division of Waste Management
 Office of Nuclear Material Safety and Safeguards

cc: See attached list

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PDR

Mr. Malachy R. Murphy
 Regulatory and Licensing Advisor
 Nye County Nuclear Waste Repository Project Office
 1014 Carlyon Avenue SE
 Olympia, WA 98501

August 20, 1999

Dear Mal,

I am responding to your letter dated August 6, 1999. You commented on our Rev. 2 of the Issue Resolution Status Report (IRSR) on Unsaturated and Saturated Flow Under Isothermal Conditions. You noted a concern that our IRSR in several places incorrectly refers to "DOE's cooperative drilling program with Nye County." You properly point out that any such reference to the U.S. Department of Energy (DOE), in the context of Nye County's Early Warning Drilling Program (EWDP), is inaccurate. You emphasize the importance of accurately referring to the EWDP as a Nye County program, given the importance to the country of Nye County's independence and neutrality.

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Sincerely,
 [Original signed by:]
 C. William Reamer, Chief
 High-Level Waste and Performance Assessment Branch
 Division of Waste Management
 Office of Nuclear Material Safety and Safeguards

cc: See attached list

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Letter to Murphy from Reamer dated: August 20, 1999

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