



Glenda Wpzigler 1-13

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**AGENCY FOR NUCLEAR PROJECTS
NUCLEAR WASTE PROJECT OFFICE**

Capitol Complex

Carson City, Nevada 89710

(702) 885-3744

January 13, 1988

Mr. Carl P. Gertz, Director
Waste Management Project Office
U.S. Department of Energy
Nevada Operations Office
Phase 2, Suite 200
101 Convention Center Drive
Las Vegas, Nevada 89109

Dear Mr. Gertz:

As we discussed on the telephone, the State of Nevada is concerned with the initiation of a Site Characterization Plan (SCP) consultative draft process for the planned site characterization of Yucca Mountain. First, the State of Nevada believes that such a process is not likely to be productive and will consume a great deal of valuable time, which could otherwise be utilized in conducting site work aimed at analysis of potential disqualifying conditions at the site. Additionally, I have come to understand that the Department does not intend to release with this consultative draft SCP the accompanying study plans which would enable the State of Nevada to understand what actual activities are planned to take place. Because of these issues and concerns, the State of Nevada believes that the Department of Energy (DOE) should release the SCP, which is required in Section 113 of the Nuclear Waste Policy Act, with accompanying public hearings and formal comment period.

The State believes that, consistent with Section 113 of the Act, the DOE should initiate site characterization activities as quickly as possible following SCP review and comment in order for the Department, the State and the public to learn that, indeed, the site is not technically suitable for repository development. The sooner this discovery is made, the sooner the DOE can begin looking in other locations in the nation for a suitable repository, and the spectre of an impending federal nuclear waste facility in southern Nevada can be lifted. We are, as you are aware, confident that such disqualifying conditions exist at Yucca Mountain, and believe it prudent that we conduct the necessary research to clearly document their existence.

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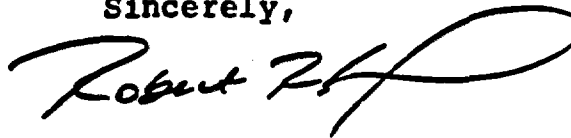
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Should the Department not abide by this request and, instead, proceed to initiate workshops regarding the consultative draft of the SCP, I am as yet uncertain as to the level of participation from the State of Nevada in that process.

I look forward to your prompt response to this request. Should you have any questions, please do not hesitate to contact me.

Sincerely,



Robert R. Loux
Executive Director

RL/gjb

cc: Nevada Commission on Nuclear Projects
Nevada Legislative Committee on High-Level Radioactive Waste
ROBERT BROWNING NRC

bcc: Joe Strolin
Dennis Baughman
Jim Davenport
Mal Murphy

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