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PRESENTATION TO

NUCLEAR WASTE MANAGMENT

QUALITY ASSURANCE

CONFERENCE

BY

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DIRECTOR

NEVADA NUCLEAR WASTE PROJECT

OFFICE

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"QA FROM THE STATES VIEWPOINT"

LET ME BEGIN MY REMARKS TODAY BY SAYING THAT I AM VERY PLEASED TO BE HERE AND HAVE THE OPPORTUNITY TO TALK TO YOU ABOUT QUALITY ASSURANCE IN THE HIGH-LEVEL NUCLEAR WASTE PROGRAM FROM A STATE'S PERSPECTIVE. DESPITE WHAT YOU MAY HAVE HEARD, WE STATE PEOPLE ARE NOT ANIT-NUCLEAR NOR DO WE EXIST SOLEY AS A THORN IN THE DEPARTMENT OF ENERGY'S BODY POLITIC - ALTHOUGH, I'M SURE, THERE ARE TIMES WHEN DOE WOULD CERTAINLY LIKE TO PLUCK US OUT.

THE NUCLEAR WASTE POLICY ACT OF 1982 CREATED A SPECIAL AND UNIQUE ROLE FOR WHAT IT TERMED °POTENTIALLY AFFECTED' STATES AND INDIAN TRIBES IN RELATION TO THE NATIONAL EFFORT TO SITE, CONSTRUCT AND OPERATE A REPOSITORY FOR THE DISPOSAL OF THE COUNTRY'S HIGH-LEVEL RADIOACTIVE WASTE.

THE ACT EXPLICITLY ACKNOWLEDGED THAT PAST FEDERAL EFFORTS TO DEAL WITH THE PROBLEM OF NUCLEAR WASTE DISPOSAL HAD NOT BEEN ADEQUATE, AND THAT THE SUCCESS OF ANY SUCH UNDERTAKING DEPENDED HEAVILY ON PUBLIC CONFIDENCE IN THE SAFETY AND INTEGRITY OF THE ENTIRE PROGRAM. TO ADDRESS THIS CRITICAL ISSUE, THE CONGRESS ESTABLISHED A MAJOR ROLE FOR STATES WHICH CONTAIN POTENTIAL REPOSITORY SITES. IN A VERY REAL SENSE, THOSE STATES HAVE BECOME GUARDIANS OF THE PUBLIC INTEREST WITH REGARD TO THE HIGH-LEVEL NUCLEAR WASTE DISPOSAL PROGRAM.

WE ARE ALL, I'M SURE, PAINFULLY FAMILIAR WITH THE LITANY OF FAILURES THAT HAVE BECOME PART OF THE BAGGAGE CARRIED BY THE U.S. DEPARTMENT OF ENERGY - AND THE NUCLEAR INDUSTRY IN GENERAL. ENVIRONMENTAL GROUPS ACROSS THE COUNTRY POINT TO INSTANCES OF TECHNOLOGICAL FAILURES AT PLACES LIKE HANFORD, WASHINGTON; WEST VALLEY, NEW YORK; LYONS, KANSAS; MAXEY FLATS, KENTUCKY; BEATTY, NEVADA; EVEN THREE MILE ISLAND AS PROOF THAT NUCLEAR WASTE CANNOT BE MANAGED, STORED OR DISPOSED OF SAFELY.

SPEAKING OF THESE INCIDENTS, WHICH HAVE MARRED THE NATIONS NUCLEAR WASTE DISPOSAL EFFORTS IN THE PAST, DR. RONNIE LIPSCHUTZ, IN HIS BOOK RADIOACTIVE WASTE, POLITICS, TECHNOLOGY AND RISK, MAKES AN INTERESTING OBSERVATION THAT HAS RELEVANCE TO THE QUALITY ASSURANCE ARENA. HE NOTES THAT:

> "NONE OF THESE FAILURES (OR INCIDENTS) WAS CAUSED BY TECHNICAL PROBLEMS ALONE. TO BE SURE, WASTE MANAGEMENT TECHNOLOGIES HAVE FAILED, BUT, IN VIRTUALLY EVERY INSTANCE, FAILURE WAS THE DIRECT RESULT OF INAPPROPRIATE ECONOMIC OR POLITICAL DECISIONS. FOR EXAMPLE, SOFT STEEL TANKS WERE USED FOR THE STORAGE OF LIQUID WASTE AT THE HANFORD RESERVATION BECAUSE OF THE COST AND NON-AVAILABILITY OF STAINLESS STELL. THE LYONS, KANSAS REPOSITORY WAS ILL-CONCEIVED AND DOOMED FROM ITS INCEPTION BECAUSE IT WAS HASTILY PREPARED BY THE ATOMIC

ENERGY COMMISSION IN AN ATTEMPT TO DIFUSE A POLITICALLY EXPLOSIVE SITUATION."

WHAT LIPSCHUTZ AND OTHER NUCLEAR WASTE CRITICS CONSISTENTLY HOLD UP AS EXAMPLES OF INHERENT FLAWS IN THE NATION'S WASTE DISPOSAL PROGRAMS ARE, IN REALITY, EXAMPLES OF FAILURES AND INADEQUACIES IN THE WAY THOSE PROGRAMS HAVE BEEN MANAGED. POOR, INADEQUATE OR INAPPROPRIATE MANAGEMENT INVARIABLY RESULTS IN POOR PROGRAM DECISIONS - BE THEY TECHNICAL, ECONOMIC, POLITICAL OR LEGAL.

THE HIGH-LEVEL NUCLEAR WASTE DISPOSAL PROGRAM CURRENTLY BEING IMPLEMENTED BY USDOE UNDER THE PROVISIONS OF THE NUCLEAR WASTE POLICY ACT HAS MANY OF THE CHARACTERISTICS THAT FORESHADOWED PROBLEMS FOR PAST AEC, ERDA AND DOE EFFORTS. THE PROGRAM IS DRIVEN BY A SCHEDULE THAT IS ITSELF PROPELLED BY A FIXED AND, SOME WOULD ARGUE, UNREALISTIC TARGET DATE. THE FRAMEWORK BY WHICH SITING AND SUITABILITY DECISIONS WILL BE MADE (THE SITING GUIDELINES) IS, IN MANY RESPECTS, OVERLY GENERAL, LACKING IN SPECIFICITY, AND PRONE TO SUBJECTIVE APPLICATION. POLITICAL PRESSURES ON THE PROGRAM ARE ENORMOUS AND CONSTANT, AND THE MANAGEMENT STRUCTURE OF THE ENTITY ESTABLISHED TO OVERSEE THE PROJECT HAS BEEN IN A STATE OF CONSTANT CHANGE ALMOST FROM THE BEGINNING.

I SUBMIT THAT THERE IS ONE SINGLE FACTOR THAT ACCOUNTS FOR MUCH - IF NOT ALL - PAST AND PRESENT TURMOIL IN FEDERAL HIGH-LEVEL WASTE DISPOSAL EFFORTS. THAT COMMON ELEMENT IS THE LACK OF COMMITMENT TO AN ADEQUATE AND COMPREHENSIVE QUALITY ASSURANCE SYSTEM. QUALITY ASSURANCE IN ALL ASPECTS OF THE WASTE DISPOSAL PROGRAM MEANS GOOD AND EFFECTIVE MANAGEMENT. AND GOOD MANAGEMENT IS THE KEY TO SUCCESS, NOT ONLY IN THE TECHNOLOGICAL COMPONENTS OF THE UNDERTAKING, BUT IN THE ECONOMIC, POLITICAL AND OTHER AREAS AS WELL. GOOD MANAGEMENT MEANS COMPETENCE, AND COMPETENCE TRANSLATES INTO APPROPRIATE, SOLID, AND DEFENSIBLE DECISIONS. QUALITY ASSURANCE, THEN, IS THE CORNERSTONE OF THE ENTIRE WASTE MANAGEMENT PROGRAM AND THE BEDROCK UPON WHICH PUBLIC CONFIDENCE IN THE EFFORT MUST REST.

THE NUCLEAR REGULATORY COMMISSION DEFINES QUALITY ASSURANCE AS ALL PLANNED AND SYSTEMATIC ACTIONS NECESSARY TO PROVIDE ADEQUATE CONFIDENCE THAT A STRUCTURE, SYSTEM OR COMPONENT WILL PERFORM SATISFACTORILY IN SERVICE. THE KEY WORD HERE IS CONFIDENCE. THE ENTIRE WASTE DISPOSAL EFFORT WILL ONLY SUCCEED WHEN THERE IS CONFIDENCE ON THE PART OF STATES, TRIBES AND THE PUBLIC THAT SUCH A FACILITY IS SAFE. A STRONG DOE COMMITMENT TO A RIGOROUS QUALITY ASSURANCE SYSTEM WILL GO A LONG WAY TO HELP INSTILL PUBLIC CONFIDENCE IN THE PROGRAM. EQUALLY, A STRONG NRC COMMITMENT TO ACTIVELY INSPECT AND ENFORCE QUALITY ASSURANCE REQUIREMENTS WILL ALSO CONTRIBUTE TO THE DEVELOPMENT OF PUBLIC CONFIDENCE.

AS I NOTED EARLIER, MANY "NUCLEAR" PROJECTS HAVE HAD POOR TRACK RECORDS IN TERMS OF QUALITY CONTROL/QUALITY ASSURANCE. THIS RECORD MUST BE REVERSED IF THERE IS TO BE ANY HOPE FOR GEOLOGIC DISPOSAL TO SUCCEED.

IN 1983 PUBLIC LAW 97-415, THE NRC AUTHORIZATION AND APPROPRIATION ACT, DIRECTED THE NRC TO CONDUCT A STUDY OF EXISTING AND ALTERNATIVE PROGRAMS FOR IMPROVING QUALITY ASSURANCE AND QUALITY CONTROL IN THE NUCLEAR POWER PLANT INDUSTRY. CONGRESS, AT THE TIME, QUESTIONED THE INDUSTRY'S ABILITY TO SAFELY DESIGN, CONSTRUCT, AND OPERATE REACTORS AND THE NRC'S ABILITY TO PROVIDE EFFECTIVE REGULATORY OVERSIGHT OF THESE ACTIVITIES. THE RESULTING "FORD AMENDMENT" STUDY WAS A MILESTONE IN IDENTIFYING MAJOR QUALITY-RELATED PROBLEMS AND RECOMMENDING IMPROVEMENTS IN BOTH INDUSTRY AND THE NRC. FROM A STATE'S PERSPECTIVE, WE SEE THE DEPARTMENT OF ENERGY HEADING DOWN THE SAME PATH AS THE NUCLEAR REACTOR INDUSTRY, A PATH WHICH CAN ONLY LEAD TO DELAYS, LOSS OF PUBLIC CONFIDENCE, AND ULTIMATE FAILURE. THE PUBLIC WILL NOT TOLERATE ZIMMER, DIABLO CANYON, OR THREE-MILE ISLAND-TYPE PROBLEMS WITH THE NATION'S FIRST WASTE REPOSITORY.

WHAT ARE THE POTENTIAL QUALITY-RELATED PROBLEMS WE SEE IN DOE'S CURRENT PROGRAM? THE FORD AMENDMENT STUDY CONCLUDED THAT THE ROOT CAUSE FOR MAJOR DEFICIENCIES IN QUALITY INVOLVED THE FAILURE OR INABILITY OF MANAGEMENT TO EFFECTIVELY IMPLEMENT A

MANAGMENT SYSTEM THAT ENSURED ADEQUATE CONTROL OVER ALL ASPECTS OF THE PROJECT. IN OCTOBER OF 1985, THE NRC STAFF CAME TO A SIMILAR CONCLUSION AS PART OF THEIR REVIEW OF DOE'S QUALITY ASSURANCE PLAN FOR SITING AND CHARACTERIZING HIGH-LEVEL RADIOACTIVE WASTE REPOSITORIES. I QUOTE: "THE STAFF BELIEVES THAT THE DOE HAS RELEGATED THE QUALITY ASSURANCE ORGANIZATION TO A POSITION TOO FAR DOWN IN THE ORGANIZATION AND THE RESULT WILL NOT BE A STRONG MANAGEMENT-ORIENTED QUALITY ASSURANCE PROGRAM WHICH IS PARAMOUNT FOR THE SUCCESS OF THIS PROJECT".

IN OCTOBER OF THIS LAST YEAR, DOE ISSUED A DOCUMENT ENTITLED "QUALITY ASSURANCE MANAGEMENT POLICIES AND REQUIREMENTS". IN THE PREAMBLE, MR. RUSCHE DESCRIBED IN GLOWING TERMS HIS COMMITMENT TO THE HIGHEST PRINCIPLES OF QUALITY ASSURANCE MANAGEMENT IN THE ACCOMPLISHMENT OF THE PROGRAM. YET A REVIEW OF THE QUALITY ASSURANCE MANAGEMENT STRUCTURE OUTLINED IN THE DOCUMENT INDICATES THAT QA POLICY AND MANAGEMENT HAS BEEN RELEGATED TO A THIRD LEVEL IN THE MANAGEMENT STRUCTURE OF OCRWM, CERTAINLY NOT A POSITION FROM WHICH QA WILL BE ABLE TO READILY INFLUENCE PROGRAM DECISIONS, PROVIDE INDEPENDENT OVERSIGHT FOR PROGRAM ACTIVITIES, OR MAINTAIN DIRECT ACCESS TO THE OCRWM DIRECTOR FOR REPORTING AND ISSUE RESOLUTION. THIS IS HARDLY THE MANAGEMENT COMMITMENT TO EXCELLENCE IN QUALITY ASSURANCE DESCRIBED IN THE PREAMBLE.

IT IS INSTRUCTIVE TO NOTE THAT THE FORD AMENDMENT STUDY CITED LACK OF MANAGEMENT EXPERIENCE IN CONSTRUCTING AND OPERATING

NUCLEAR FACILITIES AS ANOTHER CAUSE FOR MAJOR QUALITY RELATED PROBLEMS. OBVIOUSLY, INDIVIDUALS WITH EXPERIENCE IN CONSTRUCTING AND OPERATING A HIGH-LEVEL NUCLEAR WASTE REPOSITORY ARE FEW IN NUMBERS, SINCE ONE HAS NOT YET BEEN BUILT IN THE UNITED STATES. HOWEVER, THIS COUNTRY DOES HAVE A WEALTH OF EXPERIENCE IN CONSTRUCTING OTHER TYPES OF NUCLEAR FACILITIES. I DO NOT SEE ANY OF THIS CONSTRUCTION EXPERIENCE IN THE TOP MANAGEMENT STRUCTURE OF OCRWM OR IN THE PROJECT FIELD OFFICES. THE BULK OF RELEVANT EXPERIENCE SEEMS TO REST WITH CONTRACTORS AND SUBCONTRACTORS HIRED AT THE PROJECT OFFICE LEVEL. THIS MAY WELL BECOME A RECIPE FOR PROGRAM FAILURE. THE FORD STUDY CONCLUDED THAT MANY FAILURES OR QUALITY-RELATED PROBLEMS COULD BE TRACED TO MANAGEMENT SYSTEMS WITH LITTLE IN-HOUSE EXPERIENCE WHICH RELIED ALMOST TOTALLY ON THE EXPERTISE AND EXPERIENCE ON ARCHITECT/ENGINEERS AND NUCLEAR CONTRACTORS. (THIS REQUIREMENT FOR EXPERIENCE, BY THE WAY, ALSO APPLYS TO THE LICENSING OF THE FACILITY.) IT WOULD SEEM EXTREMELY PRUDENT OF DOE TO EMPLOY INDIVIDUALS WITH NUCLEAR LICENSING AND CONSTRUCTION EXPERIENCE AT KEY DECISION-MAKING LEVELS - WITHIN DOE HEADQUARTERS AS WELL AS AT THE VARIOUS PROJECT OFFICES. SUCH ACTION CAN ONLY ENHANCE THE POSSIBILITY OF PROJECT SUCCESS.

LET ME TURN, FOR A MOMENT, TO ANOTHER SUBJECT. I BELIEVE THAT STATES HAVE A ROLE TO PLAY IN QUALITY ASSURANCE, NOT SO MUCH THE QUALITY OF DOE'S DATA, BUT THE SCIENTIFIC QUALITY OF SITE CHARACTERIZATION OVERALL. THE NINTH CIRCUIT COURT OF APPEALS, IN

ITS OPINION ON NEVADA'S RIGHT TO PERFORM INDEPENDENT TECHNICAL STUDIES, STRONGLY AFFIRMED AN INDEPENDENT OVERSIGHT ROLE FOR THE STATES AND INDIAN TRIBES, AS ENVISIONED BY CONGRESS. THE COURT WENT ON TO STATE THAT THE INDEPENDENT OVERSIGHT AND PEER REVIEW WHICH ONLY THE STATES ARE POISED TO PROVIDE WOULD IMMEASURABLY "PROMOTE PUBLIC CONFIDENCE" AND PROVIDE REASONABLE ASSURANCE THAT THE PUBLIC HEALTH AND SAFETY AS WELL AS THE ENVIRONMENT WILL BE ADEQUATELY PROTECTED FROM THE HAZARDS POSED BY HIGH-LEVEL RADIOACTIVE WASTE DISPOSAL. THE STATE OF NEVADA INTENDS TO EXERCISE THAT OVERSIGHT AND PEER REVIEW ROLE RELATIVE TO THE PROPOSED YUCCA MOUNTAIN SITE TO THE MAXIMUM EXTENT POSSIBLE. WE INTEND TO CONDUCT OUR OWN TECHNICAL STUDIES OF THE SITE (BOTH PRIOR TO AND DURING SITE CHARACTERIZATION, ABOVE AND BELOW GROUND), TO VERIFY AND VALIDATE DOE'S CONCLUSIONS ABOUT THE SITE. IF, AT THE COMPLETION OF SITE CHARACTERIZATION, WE BELIEVE THAT THERE ARE TECHNICAL ISSUES STILL UNRESOLVED, WE FULLY INTEND TO TAKE OUR CASE AND THE TECHNICAL EVIDENCE TO THE NRC DURING THE LICENSING PROCESS. WE WANT ASSURANCES THAT, IF YUCCA MOUNTAIN IS SELECTED AS THE NATION'S FIRST HIGH-LEVEL NUCLEAR WASTE REPOSITORY, IT WILL BE SHOWN TO BE, TECHNICALLY, THE BEST SITE WHICH COULD HAVE BEEN SELECTED, AND THAT PROTECTION OF PUBLIC HEALTH AND SAFETY AND THE ENVIRONMENT IS ASSURED. A COMPLETE AND THOROUGH SCIENTIFIC ASSESSMENT OF THE SITE WILL HELP ACHIEVE THAT ASSURANCE.

WE BELIEVE STRONGLY THAT THE STATE HAS A RESPONSIBILITY TO ITS CITIZENS TO KEEP THE PUBLIC INFORMED WITH REGARD TO ALL ASPECTS OF THE HIGH-LEVEL WASTE DISPOSAL PROGRAM AND TO PROVIDE CHANNELS FOR READY PUBLIC ASSESS TO NEEDED INFORMATION. QA DEFINITELY HAS A ROLE IN THE PUBLIC INFORMATION/PUBLIC ACCESS QUESTION. BOTH DOE AND THE NRC HAVE OPENLY COMMITTED TO HAVING LOCAL DOCUMENT DEPOSITORIES ACCESSIBLE TO THE GENERAL PUBLIC. I WOULD SUBMIT THAT EACH SUCH A DEPOSITORY SHOULD CONTAIN COMPLETE DATA RECORDS FOR THE PROJECT, INCLUDING QA RECORDS. THOSE RECORDS SHOULD BE CURRENT SO THE PUBLIC MAY REVIEW AND EVALUATE TECHNICAL DATA OR QA RECORDS ON A TIMELY BASIS, NOT ONE-TO-TWO YEARS LATER WHEN IT APPEARS IN A CONTRACTOR REPORT OR IN SOME OBSCURE TECHNICAL JOURNAL. THE STATE HAS A SEPARATE OBLIGATION TO REVIEW THE QA RECORD TO ASSURE THAT DOE AND ITS CONTRACTORS ARE IN COMPLIANCE WITH APPROVED STANDARDS AND PROCEDURES.

IT IS OUR UNDERSTANDING THAT ONCE SITE CHARACTERIZATION IS INITIATED, DOE WILL PROVIDE TECHNICAL UPDATES EVERY SIX MONTHS ON THE PROGRESS OF CHARACTERIZATION. THESE UPDATES WILL BE AVAILABLE TO THE NRC, STATES, TRIBES, AND THE PUBLIC. WE THINK THOSE UPDATES SHOULD ALSO DESCRIBE PROGRESS ON QUALITY ASSURANCE. THE NRC, STATES, TRIBES AND THE PUBLIC HAVE A RIGHT-TO-KNOW WHAT THE QUALITY-RELATED PROBLEMS ARE AND WHAT STEPS DOE IS TAKING TO REMEDY THOSE PROBLEMS. SUCH STATE AND PUBLIC SCRUTINY MUST EXTEND DOWN TO THE CONTRACTOR LEVEL SO A COMPLETE PICTURE OF THE MANAGERIAL AND TECHNICAL COMPETENCE OF THE PROJECT CAN BE

ASCERTAINED. ALL THIS INFORMATION MUST BE TIMELY AND EASILY ACCESSIBLE TO ALL PARTIES.

THERE HAS BEEN A GREAT DEAL OF DISCUSSION OVER THE PAST DAY AND A HALF ABOUT QUALITY ASSURANCE AS IT APPLYS TO THE TECHNICAL ASPECTS OF SITING, LICENSING, CONSTRUCTING AND OPERATING A HIGH-LEVEL WASTE REPOSITORY. HOWEVER, ONE IMPORTANT REQUIREMENT OF THE REPOSITORY PROGRAM HAS NOT BEEN MENTIONED (OR HAS BEEN TOUCHED ON ONLY IN PASSING), NAMELY, THE ENVIRONMENTAL IMPACT STATEMENT. THE EIS MAY WELL DRAW MORE PUBLIC ATTENTION AND POSSIBLY MORE INTERVENOR ACTION THAN REPOSITORY LICENSING. THERE COULD BE LITERALLY HUNDREDS OF INTERVENORS INVOLVED IN THE EIS PROCESS, ALL CLAMORING FOR FOIA'S AND RIGHT OF DISCOVERY. THERE WILL BE OBVIOUS QUESTIONS OF DATA ANALYSIS, DATA INTERPRETATION AND STUDY QUALITY. IN ANTICIPATION OF SUCH AN EVENTUALITY, I SUGGEST THAT DOE'S QUALITY ASSURANCE BE EXPANDED TO INCLUDE THE COMPLETE PROGRAM, NOT JUST TECHNICAL. PUBLIC CONFIDENCE IN DOE'S PROGRAM WOULD BE ENHANCED IF THE PUBLIC WAS ASSURED THAT THE ENVIRONMENTAL AND OTHER ASPECTS OF THE PROGRAM WERE SUBJECTED TO THE SAME STANDARDS OF QUALITY DEMANDED BY THE TECHNICAL ELEMENTS OF THE UNDERTAKING.

IF THERE IS ONE THING THAT STANDS OUT WITH REGARD TO THIS GIGANTIC AND COMPLEX EFFORT TO EFFECTIVELY DISPOSE OF THE NATION'S HIGH-LEVEL NUCLEAR WASTE, IT IS THE UNIQUENESS OF THE UNDERTAKING. NEVER BEFORE HAS A NATION - OR A PEOPLE - ATTEMPTED

TO CONSTRUCT SOMETHING THAT MUST REMAIN FUNCTIONAL FOR 10,000 YEARS. THE SITING AND CONSTRUCTION OF THE REPOSITORY AND THE SUBSEQUENT TRANSPORTATION OF THE WASTE COULD AFFECT PEOPLE, DIRECTLY OR INDIRECTLY, IN AT LEAST 48 STATES. THE ENTIRE ISSUE OF NUCLEAR WASTE DISPOSAL IS CHARGED WITH ALMOST UNIVERSAL PUBLIC CONCERN AND WITH A POLITICAL SIGNIFICANCE PERHAPS SECOND ONLY TO QUESTIONS OF WAR AND PEACE.

IN SHORT, THIS IS NOT A PROJECT THAT CAN BE ENTRUSTED TO A BUSINESS-AS-USUAL ATTITUDE. IF DOE IS TO BE SUCCESSFUL IN ITS ROLE AS IMPLEMENTOR OF NUCLEAR WASTE POLICY ACT OBJECTIVES, IT MUST FULLY COMMIT ITSELF TO GO BEYOND WHAT MAY BE MINIMALLY REQUIRED AND DEDICATE ITSELF TO A LEVEL OF EXCELLENCE AND COMPETENCE THAT IS COMMENSURATE WITH THE MAGNITUDE OF THE UNDERTAKING. NOWHERE IS THIS COMMITMENT MORE CRITICAL THAN IN THE AREA OF QUALITY ASSURANCE.

THE NUCLEAR REGULATORY COMMISSION, WHICH CONGRESS HAS ENTRUSTED WITH A MAJOR PORTION OF THE RESPONSIBILITY FOR OVER-SEEING THE ADEQUACY OF DOE'S WASTE DISPOSAL EFFORTS, CANNOT AFFORD TO APPROACH THIS PROJECT WITH ANYTHING LESS THAN A FULL COMMITMENT TO REQUIRING THE MOST COMPREHENSIVE AND COMPLETELY ADEQUATE QUALITY ASSURANCE SYSTEM.

THE NUCLEAR INDUSTRY, LIKEWISE, HAS A MAJOR STAKE IN SEEING THAT THE ENTIRE REPOSITORY PROGRAM IS NOT ONLY TECHNICALLY AND

MANAGERIALLY COMPETENT BUT THAT IT ALSO PROMOTES THE LEVEL OF PUBLIC CONFIDENCE AND ACCEPTANCE THAT WILL BE ESSENTIAL IF A REPOSITORY IS TO BE SUCCESSFULLY SITED, CONSTRUCTED AND OPERATED. FAILURE ON DOE'S PART COULD VERY WELL PROVE TO BE FATAL TO THE FUTURE OF NUCLEAR POWER IN THIS COUNTRY.

FINALLY, THE MAGNITUDE OF THE REPOSITORY PROGRAM AND THE GRAVITY OF THE CONSEQUENCES OF FAILURE - FOR PRESENT AND FUTURE CITIZENS - REQUIRE THAT STATES SUCH AS NEVADA EXERT A VIGILANCE OVER THE ENTIRE DOE UNDERTAKING THAT IS LIKEWISE UNIQUE. AS GUARDIANS OF THE PUBLIC INTEREST, STATES CANNOT - IN THE WORDS OF THE NINTH U.S. CIRCUIT COURT OF APPEALS - "PERMIT DOE TO GUARD THE CHICKEN COOP ALONE". FOR IN THE FINAL ANALYSIS, IT WILL BE CITIZENS AND INSTITUTIONS AT THE STATE AND LOCAL LEVELS WHO WILL BEAR THE BRUNT OF ANY FAILURE OF EFFORT OR OF WILL IN THE NATION'S NUCLEAR WASTE DISPOSAL PROGRAM.

THANK YOU.