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Department of Energy
 Nevada Operations Office
 P. O. Box 14100
 Las Vegas, NV 89114-4100

WM Record File
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WM Project 11
 Docket No. _____
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Distribution:
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 (Return to WM, 623-SS) rec'd from nls
 Coplan

DEC 09 1983 - 01

Seth M. Coplan
 Project Manager
 Division of Waste Management
 U.S. Nuclear Regulatory Commission
 Washington, DC 20555

Dear Dr. Coplan:

I am in receipt of your letter of November 16, 1983 regarding the cancellation of our joint workshops. I have received a similar letter (Enclosure I) from Robert Loux, the State of Nevada's contact for the NNWSI Project. Enclosure II is the response that I sent Robert Loux explaining the reasons for postponing the workshops.

I recognize that the workshops will be very useful to the NRC in preparing to review the EA. However, I pointed out to Robert Loux that the schedule we are working on to prepare and issue the EA and supporting documents is extremely tight. The same people who are preparing the EA would be required to organize and present the information at the workshops. It is my evaluation that the conduct of the postponed workshops would significantly affect our schedule for completing the EA. Consequently, I do not believe that I can arrange for these workshops before the Draft EA is completed.

I will offer to you the same compromise that I offered to Robert Loux. Enclosure III is his acceptance of my offer. I hope that we can come to an equally satisfactory position. Please give me a call if there are any questions.

Sincerely,

Donald L. Vieth, Director
 Waste Management Project Office

WMPO:DLV-295

Enclosure:

1. Letter from Robert Loux
2. Response letter to Robert Loux
3. Acceptance letter from Robert Loux

cc w/encl:

J. W. Bennett, HQ (RW-20) GTN
 M. W. Frei, HQ (RW-23) GTN
 NNWSI Project File

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RICHARD H. BRYAN
Governor

STATE OF NEVADA



DEPARTMENT OF MINERALS

400 W. King Street, Suite 100
Carson City, Nevada 89710
(702) 885-5050

November 7, 1983

Dr. Donald L. Vieth, Director
Waste Management Project Office
Department of Energy
Nevada Operations Office
P.O. Box 14100
Las Vegas, Nevada 89114-4100

RE: Technical Workshops

Dear Dr. Vieth:

I am in receipt of letters from DOE/NVO announcing the cancellation of the remaining NRC/NNWSI technical workshops scheduled. I want to express my concern about the cancellation and request the workshops be rescheduled as soon as possible.

While I understand the need to focus resources on the development of a draft environmental assessment, I don't believe that this focus should be undertaken at the expense of the technical workshops. I am concerned about this reordering of priorities from two perspectives:

- 1) Workshops are the only vehicles by which the State is able to know the current status of technical data, analyses, and conclusions.
- 2) The State would be placed in a decidedly disadvantageous position during our upcoming review of the draft environmental assessment without current first-hand knowledge of the data and technical studies.

Based upon this rationale, I am requesting the workshops in geochemistry and performance assessment, at the minimum, be rescheduled immediately. I would hope that workshops in all subjects could be completed prior to issuance of the draft environmental assessment.

If you have any questions or wish to discuss this matter further, please do not hesitate to contact me.

Sincerely,

Robert R. Loux
Nuclear Waste Evaluation Program

ACTION WMPD
 INFO _____
 R.F. _____
 AMA _____

RRL:sk

**Department of Energy**

Nevada Operations Office
P. O. Box 14100
Las Vegas, NV 89114-4100

Robert R. Loux, Jr.
c/o Department of Minerals
State of Nevada
400 W. King Street
Carson City, NV 89710

NOV 29 1983

Dear Mr. Loux:

Thank you for your letter of November 7, 1983, regarding the technical workshops with NRC that have been cancelled. I, too, share your concern about their cancellation which, in reality, have only been postponed.

Based on our previous interactions, I am sure that you recognize that these cancellations or postponements were essential if the Environmental Assessment (EA) was to be available on a timely basis. The issuance of the siting guidelines requires that we turn our full efforts to preparing the Environmental Assessment, which is specified in the Nuclear Waste Policy Act. In deference to the request by the states, no significant action has been taken to analyze the Yucca Mountain site against the siting guidelines until they were complete. Since the siting guidelines have been greatly expanded to over 40 pages and in view of the fact that the Environmental Assessment must withstand a judicial review, it is necessary we direct our full technical staff to this document. This effort is further stressed if we are to meet the schedule established to get the Environmental Assessment into the hands of the state. In addition, since the document can be subject to a judicial proceedings, we believe all material covered in the Environmental Assessment must be in published references. Consequently, we must not only write an Environmental Assessment, which is expected to be a voluminous document, but also all the technical references not currently in hand containing the basic data.

Returning to the schedule, I would like to remind you of the agreement that was reached in Carson City on March 23, 1983. Although the Nuclear Waste Policy Act does not require this action, the Department agreed to issue the Environmental Assessment in draft form with a 60 day comment period. We also agreed to public hearings on the document after 45 days in two different cities.

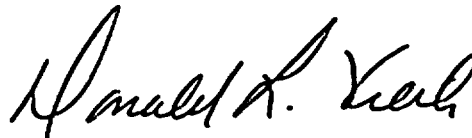
R. R. Loux, Jr.

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NOV 29 1983

If the DOE satisfies all other commitments that have been made to the State of Nevada, it is not possible to reschedule the workshops that you have requested. However, it will be possible to satisfy your requirements by assuring them you have access to all the references on the work that is covered in the Environmental Assessment when it is issued. In addition, the two workshops that you requested will be scheduled within 10 working days after the Environmental Assessment is issued in draft form. Scheduling the workshops at this time should have the advantage of allowing the participants to more effectively focus on your questions after having seen how the technical issues are treated.

I believe that you can appreciate the nature of this dilemma and will accept this proposed compromise.



Donald L. Vieth, Director
Waste Management Project Office

WMPO:DLV-251

cc:

R. L. Morgan, HQ (RW-1) FORSTL
J. W. Bennett, HQ (RW-20) GTN
M. W. Frei, HQ (RW-23) GTN
C. W. George, HQ (RW-3) GTN
L. D. Ramspott, LLNL, Livermore, CA
W. W. Dudley, Jr., USGS, Denver, CO
D. T. Oakley, LANL, Los Alamos, NM
T. O. Hunter, SNL, 6310, Albq., NM
A. R. Hakl, W, Mercury, NV
M. E. Spaeth, SAI, Las Vegas, NV
S. M. Coplan, NRC, Washington, D. C.
NNWSI Project File ←

RICHARD H. BRYAN
Governor

STATE OF NEVADA



DEPARTMENT OF MINERALS

400 W. King Street, Suite 100
Carson City, Nevada 89710
(702) 885-5050

December 1, 1983

Dr. Donald L. Vieth, Director
Waste Management Project Office
U. S. Department of Energy
Nevada Operations Office
P.O. Box 14100
Las Vegas, NV 89114-4100

Dear Dr. Vieth:

The compromise that you have proposed in your letter of November 29, 1983, regarding the technical workshops would seem to satisfy the majority of my concerns in this area, assuming that the State will have access to all of the references contained in the draft Environmental Assessment and that the workshops can be reconvened according to the schedule you have outlined.

I am appreciative of your efforts to assist the State in this regard and look forward to our continued interaction on these issues.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Robert R. Loux".

Robert R. Loux
Nuclear Waste Evaluation
Program

RRL:sk

ACTION WMP
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R.F. _____
AMA _____
AME & S ✓