

September 29, 2004

Ms. Peggy Maze Johnson, Executive Director
Citizen Alert
PO Box 17173
Las Vegas, NV 89114

Dear Ms. Johnson:

In your letter dated August 11, 2004, you questioned the propriety of the U.S. Nuclear Regulatory Commission's (NRC) request of the U.S. Department of Energy (the Department) to provide rent-free office space for NRC's onsite representatives in the Department's complex located in Las Vegas, Nevada. I want to assure you that it is because of NRC's commitment to its duty as an independent regulator that we require our licensees to provide our inspectors with unfettered access to inspect regulated activities. Our request for office space from the Department will facilitate inspection activities and is entirely appropriate.

Our request of the Department is consistent with our regulations at 10 CFR 63.75. These requirements specify that the Department must provide immediate unfettered access for NRC inspectors to the facility. These regulations also require the Department to provide rent-free office space for the exclusive use of NRC onsite inspection personnel. Provision of convenient office space for NRC staff, similar to that required at all large facilities licensed by NRC, enables NRC to conduct more effective inspections. As stated in our request to the Department, if the Department submits an application for the proposed Yucca Mountain geologic repository and should NRC determine that the application is acceptable for docketing, NRC plans to initiate a licensing review and to implement an inspection program for the Yucca Mountain Project. Convenient and ready access by our inspectors is vital for NRC, as an independent licensing authority, to implement this inspection program.

A copy of the 10 CFR 63.75 requirements is attached for your reference.

If you have further questions about these actions, please feel free to contact Mr. Ted Carter, of my staff at (301) 415-6684.

Sincerely,

/RA/

C. William Reamer, Director
Division of High-Level Waste Repository Safety
Office of Nuclear Material Safety
and Safeguards

Enclosure:
10 CFR 63.75

cc: See attached list

Letter to P. Maze Johnson from C.W. Reamer, dated: September 29, 2004

cc:

A. Kalt, Churchill County, NV	A. Elzeftawy, Las Vegas Paiute Tribe
R. Massey, Churchill/Lander County, NV	J. Treichel, Nuclear Waste Task Force
I. Navis, Clark County, NV	W. Briggs, Ross, Dixon & Bell
E. von Tiesenhausen, Clark County, NV	M. Chu, DOE/Washington, D.C.
G. McCorkell, Esmeralda County, NV	G. Runkle, DOE/Washington, D.C.
R. Damele, Eureka County, NV	C. Einberg, DOE/Washington, D.C.
A. Johnson, Eureka County, NV	S. Gomberg, DOE/Washington, D.C.
A. Remus, Inyo County, CA	W. J. Arthur, III , DOE/ORD
M. Yarbro, Lander County, NV	R. Dyer, DOE/ORD
S. Hafen, Lincoln County, NV	J. Ziegler, DOE/ORD
M. Baughman, Lincoln County, NV	A. Gil, DOE/ORD
L. Mathias, Mineral County, NV	W. Boyle, DOE/ORD
L. Bradshaw, Nye County, NV	D. Brown, DOE/OCRWM
M. Maher, Nye County, NV	S. Mellington, DOE/ORD
D. Hammermeister, Nye County, NV	C. Hanlon, DOE/ORD
M. Simon, White Pine County, NV	T. Gunter, DOE/ORD
J. Ray, NV Congressional Delegation	A. Benson, DOE/ORD
B. J. Gerber, NV Congressional Delegation	N. Hunemuller, DOE/ORD
F. Roberson, NV Congressional Delegation	M. Mason, BSC
T. Story, NV Congressional Delegation	S. Cereghino, BSC
R. Herbert, NV Congressional Delegation	N. Williams, BSC
L. Hunsaker, NV Congressional Delegation	E. Mueller, BSC
S. Joya, NV Congressional Delegation	J. Mitchell, BSC
K. Kirkeby, NV Congressional Delegation	D. Beckman, BSC/B&A
R. Loux, State of NV	M. Voegele, BSC/SAID
S. Frishman, State of NV	B. Helmer, Timbisha Shoshone Tribe
S. Lynch, State of NV	R. Boland, Timbisha Shoshone Tribe
P. Guinan, Legislative Counsel Bureau	R. Arnold, Pahrump Paiute Tribe
J. Pegues, City of Las Vegas, NV	J. Birchim, Yomba Shoshone Tribe
M. Murphy, Nye County, NV	R. Holden, NCAE

cc: (Continued)

R. Clark, EPA

R. Anderson, NEI

R. McCullum, NEI

S. Kraft, NEI

J. Kessler, EPRI

D. Duncan, USGS

R. Craig, USGS

W. Booth, Engineering Svcs, LTD

L. Lehman, T-Reg, Inc.

S. Echols, Esq

C. Marden, BNFL, Inc.

J. Bacoch, Big Pine Paiute Tribe of the
*Owens Valley

P. Thompson, Duckwater Shoshone Tribe

T. Kingham, GAO

D. Feehan, GAO

E. Hiruo, Platts Nuclear Publications

G. Hernandez, Las Vegas Paiute Tribe

K. Finrock, NV Congressional Delegation

P. Johnson, Citizen Alert

A. Capoferri, DOE/ Washington, DC

J. Williams, DOE/Washington, DC

A. Robinson, Robinson-Seidler

M. Dayton, City of Las Vegas

D. Wilson, Sen. Reid's Office

C. Meyers, Moapa Paiute Indian Tribe

R. Wilder, Fort Independence Indian Tribe

D. Vega, Bishop Paiute Indian Tribe

J. Egan, Egan, Fitzpatrick & Malsch, PLLC

J. Leeds, Las Vegas Indian Center

J. C. Saulque, Benton Paiute Indian Tribe

C. Bradley, Kaibab Band of Southern Paiutes

R. Joseph, Lone Pine Paiute-Shoshone Tribe

L. Tom, Paiute Indian Tribes of Utah

E. Smith, Chemehuevi Indian Tribe

D. Buckner, Ely Shoshone Tribe

V. Guzman, Walker River Paiute

D. Eddy, Jr., Colorado River Indian Tribes

H. Jackson, Public Citizen

J. Wells, Western Shoshone National
Council

D. Crawford, Inter-Tribal Council of NV

I. Zabarte, Western Shoshone National
Council

S. Devlin

G. Hudlow

D. Irwin, Hunton & Williams

L. Alfano, Lincoln County

M. Henderson, Cong. J. Gibbon's Office

B. Vonderheide, Cong. J. Gibbon's Office

D. Duquette, NWTRB

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C. William Reamer, Director
Division of High-Level Waste Repository Safety
Office of Nuclear Material Safety
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