

February 20, 2006

Robert R. Loux, Executive Director
Agency for Nuclear Projects
Office of the Governor
State of Nevada
1761 E. College Parkway - Suite 118
Carson City, NV 89706

SUBJECT: THE U.S. NUCLEAR REGULATORY COMMISSION'S OBJECTIVITY IN
REGARD TO SAFETY OF A POTENTIAL HIGH-LEVEL RADIOACTIVE
WASTE REPOSITORY AT YUCCA MOUNTAIN

Dear Mr. Loux:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your January 3, 2006, letter to Chairman Nils J. Diaz expressing concern about NRC's objectivity in regard to safety of a potential high-level radioactive waste repository at Yucca Mountain, Nevada. That letter was accompanied by a December 16, 2005, article from *The San Luis Obispo Tribune*, which you referred to as the basis for your concern. I wish to inform you that the specific points of concern raised in your letter were based on statements in the newspaper article that were incorrectly attributed to staff from NRC's Region IV Office.

NRC was concerned about the December 16 article because it did not accurately reflect comments made by NRC staff. Review of the videotape of the meeting indicates the statements mentioned in your January 3 letter, and attributed in the December 16 newspaper article to NRC staff from Region IV, were, in point of fact, not made by NRC staff in the context of the Yucca Mountain Project; but rather with respect to the NRC policy on high-level waste as stated in NRC's Waste Confidence Decision on the feasibility of a permanent geological repository. NRC continues to maintain its objectivity regarding safety of a potential high-level radioactive waste repository at Yucca Mountain.

If you have further questions or comments, please contact Mr. C. William Reamer of my staff at (301) 415-6537.

Sincerely,

/RA/

Jack R. Strosnider, Director
Office of Nuclear Material Safety
and Safeguards

cc: See enclosed list

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Letter to R. Loux from J. Strosnider dated: February 20, 2006

cc:

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D. Crawford, Inter-Tribal Council of NV

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