

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

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ACTION OFFICE: CHRM

AUTHOR: REP John Dingell
AFFILIATION: CONG
ADDRESSEE: Dale Klein
SUBJECT: Disposition of high-level radioactive waste---August 31, 2006 meeting between NRC/DOE

ACTION: Appropriate
DISTRIBUTION: Chairman, Comrs, RF, OCA, EDO

LETTER DATE: 08/29/2006
ACKNOWLEDGED: No
SPECIAL HANDLING:

NOTES: Concerns staff meeting with DOE, Thursday, August 31, 2006
FILE LOCATION: ADAMS

DATE DUE: **DATE SIGNED:**



Congress of the United States

House of Representatives

Washington, DC 20515

August 29, 2006

The Honorable Dale Klein
Chairman
Nuclear Regulatory Commission
c/o Office of Congressional Affairs
Washington, DC 20555-0001

Dear Chairman Klein:

The disposition of high-level radioactive waste is an issue of great concern for South Carolina and our country. We have worked on this matter for years to make sure that our cleanup efforts are competent, comprehensive, and cost-effective, and not least, acceptable to our citizens. We were discouraged to read the article in *Inside Energy* entitled *NRC says DOE Official Sought To Bar Public From Meetings On Tank Waste*, stating that the Department of Energy (DOE) does not want to talk about tank-closure plans in open meetings with the Nuclear Regulatory Commission (NRC) because open discussion would make the plans "more accessible" to the public.

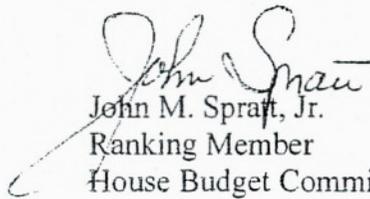
The article indicates that there will be a meeting on Thursday, August 31, 2006, between DOE and NRC that will focus on the NRC's recently issued draft *Standard Review Plan for Activities Related to U.S. DOE Waste Determinations* (SRP). This document addresses how the NRC will conduct its consulting and oversight role under Section 3116 of the 2004 National Defense Authorization Act. It was published in the Federal Register in draft form and released for public comment. DOE is said to advocate that the NRC scrap the SRP in its entirety, and we understand that the meeting on Thursday will discuss this proposal in a session closed to the public.

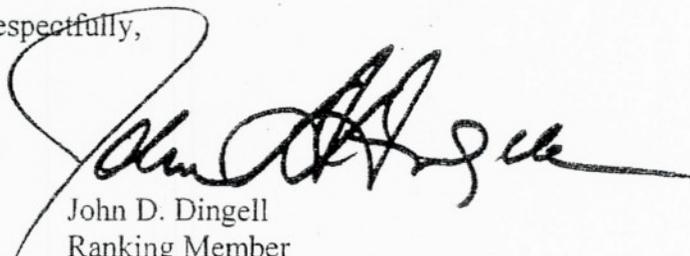
This is a matter of enormous public interest, and we believe the public should not be barred from meetings on the subject unless a significant national security concern is being discussed. Even then, only that portion of the meeting dealing with sensitive issues should be closed. An NRC official is quoted as saying this meeting will be a "general information exchange with no direct, substantive connection to any specific NRC decision or action." Given the tenor of the meeting relayed in the article, it seems likely that NRC's consultation and activities in the Section 3116 closure process will be discussed. If that is the case, public access to the meeting seems to be required under the NRC's Management Directive 3.5.

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Letter to Hon. Dale Klein
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When Section 3116 of the Defense Authorization Act was passed in 2003, we expected that NRC's consulting and monitoring role would be thorough, exacting, and public. Based on NRC's actions to date, you seem to have taken this charge to heart. Barring the public from what should be an open meeting would amount to a big step back from congressional intent and would set a disappointing precedent for future cleanup planning. We urge the NRC to reconsider its decision and open this meeting and all future meetings on high-level waste disposal to the public. Please do not hesitate to contact us if you would like to discuss this matter further.

Respectfully,


John M. Spratt, Jr.
Ranking Member
House Budget Committee


John D. Dingell
Ranking Member
House Energy and Commerce Committee