

May 2, 2007

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

Dear Mr. Loux:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of April 2, 2007, expressing concern about a number of planned meetings between the U.S. Department of Energy (DOE) and the NRC staff recently announced by DOE at a DOE/NRC Quarterly Management Meeting on March 27, 2007. The NRC agrees that, as the announced date of submittal of the DOE application grows near, all pre-licensing technical meetings between the NRC staff and DOE staff, including Appendix 7 meetings, should be open. The NRC postponed the April 10 Appendix 7 meeting. DOE has agreed that all the later Appendix 7 meetings announced on March 27, 2007, will be open, although the number of observers may be constrained by space limitations.

Exceptions to this openness policy will continue to include meetings at which classified, safeguards, or sensitive unclassified non-safeguards information will be discussed. In that regard, the NRC understands that the State of Nevada has yet to take advantage of either the Commission's offer of September 10, 2004, to pre-clear a limited number of Nevada's employees and consultants or the subsequent change in 10 CFR Parts 25 and 95 which addresses security clearances for access to classified information (70 FR 32227). With the announced application date only 14 months away, and given the lead time for obtaining security clearances, the NRC encourages the State of Nevada to take advantage of this opportunity as soon as possible.

The NRC continues to be committed to ensuring the integrity of its regulatory process. If you or other copied public stakeholders wish to send an observer to any of the announced meetings, please notify Aby Mohseni, Deputy Director for the Licensing and Inspection Directorate, Division of High-Level Waste Repository Safety. Mr. Mohseni can be reached by telephone at (301) 415-7273.

Sincerely,

/RA/

Luis A. Reyes
Executive Director
for Operations

cc: See attached list

cc: Letter to R. Loux from L. Reyes dated: May 2, 2007

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	R. Murray, DOE/OCRWM
G. McCorkell, Esmeralda County, NV	G. Runkle, DOE/Washington, D.C.
R. Damele, Eureka County, NV	S. Bokhari, DOE/RW
L. Marshall, Eureka County, NV	S. Gomberg, DOE/Washington, D.C.
A. Johnson, Eureka County, NV	D. Curran, Harmon, Curran, Spielberg & Eisenberg, L.L.P.
S. Schubert, Sen. Reid's Office	R. Dyer, DOE/OCRWM
M. Yarbro, Lander County, NV	J. Espinoza, GAO
J. Donnell, DOE/OCRWM	A. Gil, DOE/OCRWM
M. Baughman, Lincoln County, NV	W. Boyle, DOE/OCRWM
L. Mathias, Mineral County, NV	M. Ulshafer, DOE/OCRWM
J. Saldarini, BSC	S.A. Wade, DOE/OCRWM
M. Henderson, Cong. J. Gibbon's Office	C. Hanlon, DOE/OCRWM
D. Swanson, Nye County, NV	T. Gunter, DOE/OCRWM
M. Simon, White Pine County, NV	A. Benson, DOE/OCRWM
E. Sproat, DOE/OCRWM	N. Hunemuller, DOE/OCRWM
D. Cornwall, NV Congressional Delegation	P. Harrington, OPM&E
T. Story, NV Congressional Delegation	M. Mason, BSC
R. Herbert, NV Sen. Reid's Office	S. Cereghino, BSC
M. Murphy, Nye County, NV	B. Gattoni, Burns & Roe
R. Lambe, NV Congressional Delegation	E. Mueller, Esmeralda County, NV
K. Kirkeby, NV Congressional Delegation	J. Gervers, Clark County, NV
R. Loux, State of NV	D. Beckman, BSC/B&A
S. Frishman, State of NV	J. Raleigh, SNL
S. Lynch, State of NV	J. Kennedy, Timbisha Shoshone Tribe
P. Guinan, Legislative Counsel Bureau	B. Durham, Timbisha Shoshone Tribe
R. Clark, EPA	R. Arnold, Pahrump Paiute Tribe
R. Anderson, NEI	J. Birchim, Yomba Shoshone Tribe

cc: (Continued)

R. McCullum, NEI
S. Kraft, NEI
J. Kessler, EPRI
D. Duncan, USGS
K. Skipper, USGS
W. Booth, Engineering Svcs, LTD
C. Marden, BNFL Inc.
J. Bacoeh, 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. Finfrock, NV Congressional Delegation
P. Johnson, Citizen Alert
M. Williams, DOE/OCRWM
J. Williams, DOE/Washington, DC
A. Robinson, Robinson-Seidler
M. Plaster, City of Las Vegas
S. Rayborn, Sen. Reid's Office
L. Lehman, T-REG, Inc.
B.J. Garrick, NWTRB
T. Feigenbaum, BSC
M. Urie, DOE
J. Brandt, Lander County
R. Holland, Inyo County
B. Sagar, CNWRA
V. Trebules, RW/DOE
R. Warther, DOE/OCRWM
Connie Simkins, Lincoln County
S.A. Orrell, SNL
R. Holden, NCAI
C. Meyers, Moapa Paiute Indian Tribe
C. Dahlberg, Fort Independence Indian Tribe
D. Vega, Bishop Paiute Indian Tribe
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
M. Boyd, 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
P. Golan, DOE
M. Rice, Lincoln County, NV
G. Hellstrom, DOE
S. Joya, Sen. Ensign's Office
M. Gaffney, Inyo County
L. Desell, RW/DOE
P. Nair, SNL
B. Neuman, Carter Ledyard & Milburn L.L.P.
E. Bonano, SNL
L. Newman, DOE/OCRWM

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/RA/

Luis A. Reyes
Executive Director
for Operations

cc: See attached list

This correspondence addresses policy issues previously resolved by the Commission, transmits factual information, or restates Commission policy.

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