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Mr. Lawrence E. Koajko
Director, Division of High-Levels Waste Repository Safety
Office of Nuclear Material Safety Safeguards
U.S. Nuclear Regulatory Commission
Washington, D.C., 20555-001

September 16, 2008

Dear Mr.Kokajko:

On September 15, 2008 issue a notice in the Code of Federal Regulation Department of Energy; Notice of Acceptance for Docketing of a License Application for Authority To Construct a Geologic Repository at a Geologic Repository Operations Area at Yucca Mountain, NV. Stated the following "In accord with 10 CFR 51.109(a), the NRC staff's position is that it is practicable to adopt, with further supplementation, the EIS and supplements prepared by DOE. The staff concludes that neither the 2002 Final Environmental Impact Statement (FEIS) nor the 2008 Final Supplemental Environmental Impact Statement (Repository Supplemental EIS) adequately address all of the impacts on groundwater, or from surface discharges of groundwater, from the proposed action. The staff concludes that additional supplementation is needed to ensure the 2002 FEIS and 2008 Repository Supplemental EIS are adequate."

My questions are why the NRC Staff did not address at all both legally and scientifically issues which I raise in my supplement petition to the NRC dated 08/28/2008. Why the NRC Staff did not request additional information from DOE as required by NRC regulations Sections 63.10 (a) and (b) of 10 CFR 63? Which stated the following "require the DOE must submit a complete and accurate license application; and § 63.10 (b) report a significant implication for public health and safety... licensee fails to notify the Commission of information that the applicant or licensee has identified as having a significant implication for public ... within two days. **Why the NRC staff did not request additional information on the poetical health risk to human from mixtures of heavy metals and radionuclides form the DOE? This is in consistent with Sections 63.10 (a) and (b) of 10 CFR 63 of NRC regulations!** Why the NRC staff did not request additional information from DOE on how they are going to protect workers from exposure to highly potent carcinogen **Mordonite and Eronite** fibers during tunneling operation?

Yours,



Dr. Jacob D. Paz
Cc://State of Nevada Agency for High Nuclear Waste
Nevada Congressional Delegation