

EDO Principal Correspondence Control

FROM: DUE: 08/12/10

EDO CONTROL: G20100403  
DOC DT: 06/23/10  
FINAL REPLY:

Senator James M. Inhofe

TO:

Chairman Jaczko

FOR SIGNATURE OF :

\*\* PRI \*\*

CRC NO: 10-0284

Chairman Jaczko

DESC:

Status of the Technical Review of DOE's License  
Application Construction Authorization of the  
Proposed Repository at Yucca Mountain  
(EDATS: SECY-2010-0334)

ROUTING:

Borchardt  
Weber  
Virgilio  
Ash  
Mamish  
OGC/GC  
Haney, NMSS  
Collins, RIV  
Burns, OGC  
Schdmit, OCA

DATE: 06/25/10

ASSIGNED TO:

CONTACT:

EDO

Rihm

SPECIAL INSTRUCTIONS OR REMARKS:

Please prepare response in accordance with OEDO  
Notice 2009-0441-02 (ML093290179). NMSS and Region  
IV to provide input to Roger Rihm, OEDO, if  
required. Roger Rihm will coordinate response with  
OGC and OCA. Note: No due date established per  
Chairman's Office via OCA at this time.

# EDATS

Electronic Document and Action Tracking System

**EDATS Number:** SECY-2010-0334

**Source:** SECY

## General Information

**Assigned To:** OEDO

**OEDO Due Date:** NONE

**Other Assignees:**

**SECY Due Date:** NONE

**Subject:** Status of the Technical Review of DOE's License Application Construction Authorization of the Proposed Repository at Yucca Mountain

**Description:**

**CC Routing:** NMSS; RegionIV; OGC; OCA

**ADAMS Accession Numbers - Incoming:** NONE

**Response/Package:** NONE

## Other Information

**Cross Reference Number:** G20100403, LTR-10-0284

**Staff Initiated:** NO

**Related Task:**

**Recurring Item:** NO

**File Routing:** EDATS

**Agency Lesson Learned:** NO

**OEDO Monthly Report Item:** NO

## Process Information

**Action Type:** Letter

**Priority:** Medium

**Sensitivity:** None

**Signature Level:** Chairman Jaczko

**Urgency:** NO

**Approval Level:** No Approval Required

**OEDO Concurrence:** YES

**OCM Concurrence:** NO

**OCA Concurrence:** NO

**Special Instructions:** Please prepare response in accordance with OEDO Notice 2009-0441-02 (ML093290179). NMSS and Region IV to provide input to Roger Rihm, OEDO, if required. Roger Rihm will coordinate response with OGC and OCA. Note: No due date established per Chairman's Office via OCA.

## Document Information

**Originator Name:** Senator James M. Inhofe

**Date of Incoming:** 6/23/2010

**Originating Organization:** Congress

**Document Received by SECY Date:** 6/25/2010

**Addressee:** Chairman Jaczko

**Date Response Requested by Originator:** NONE

**Incoming Task Received:** Letter

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

Date Printed: Jun 24, 2010 06:45

PAPER NUMBER: LTR-10-0284  
ACTION OFFICE: EDO

LOGGING DATE: 06/24/2010

AUTHOR: SEN James Inhofe  
AFFILIATION: USPS  
ADDRESSEE: Gregory Jaczko

SUBJECT: Request the status of the NRC's technical review, of the DOE's license application construction  
authroization of the proposed repository at Yucca Mountain

ACTION: Signature of Chairman  
DISTRIBUTION: RF, OCA to Ack

LETTER DATE: 06/23/2010

ACKNOWLEDGED No

SPECIAL HANDLING: NO DUE DATE PER THE CHAIRMAN'S OFFICE via OCA

NOTES:

FILE LOCATION: ADAMS

DATE DUE:

DATE SIGNED:

EDO --G20100403

# United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS  
OFFICE OF THE CHAIRMAN

June 23, 2010

The Honorable Gregory Jaczko  
Chairman  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Dear Chairman Jaczko:

I am writing to request the status of the Nuclear Regulatory Commission's technical review of the Department of Energy's (DOE) license application for construction authorization of the proposed repository at Yucca Mountain.

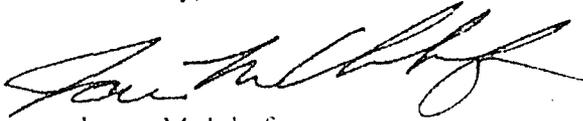
It is my understanding that the Atomic Safety and Licensing Board (ASLB) has suspended the hearing process on the license application and is presently considering a motion by the DOE to withdraw the license application with prejudice.

I also understand, however, that the NRC staff's technical review of the DOE license application is continuing and that the NRC staff has recently reported to the ASLB regarding their expectation of completing their review and issuing Volume 1 of the Safety Evaluation Report (SER) possibly as soon as this August and Volume 3 before the end of this year. Unless and until the Commission ultimately rules on DOE's motion to withdraw the license application, it is my view that the staff's work should continue. Furthermore, any completed volumes should be made available to the public in keeping with the Commission's commitment to openness and transparency.

Accordingly, I request a detailed update on the status of the NRC staff's technical review of the Yucca license application. In particular, please provide the current schedule for completing and issuing the various volumes of the SER, including any volumes already completed and making them publicly available. Please describe any potential issues or concerns the NRC staff has identified that would preclude the proposed repository from meeting all applicable Federal standards for protecting public health and safety and the environment. Please include the number of outstanding requests for additional information.

I respectfully request that the Commission respond by June 30, 2010. Please contact Annic Caputo with the Committee on Environment and Public Works with any questions you may have. She can be reached at 202-224-6176.

Sincerely,

A handwritten signature in black ink, appearing to read "James M. Inhofe". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

James M. Inhofe

Cc: Commissioner Kristine L. Svinicki  
Commissioner George Apostolakis  
Commissioner William D. Magwood, IV  
Commissioner William C. Ostendorff