

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001



SECRETARY

August 2, 2010

Mr. Gary J. Duarte, Director
US Nuclear Energy Foundation
PO Box 2867
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Dear Mr. Duarte:

I am responding to your letter dated July 4, 2010, addressed to Chairman Jaczko and members of the Commission, related to the pending adjudicatory proceeding that is associated with the U.S. Department of Energy's (DOE) application for the proposed Yucca Mountain high-level waste repository. You request, among other things, that the "Yucca Mountain facility be put back on track."

Your letter addresses matters which the Commission has under advisement in its adjudicatory capacity, and which it will decide with due consideration to applicable law. Given the pendency of the adjudicatory proceeding, therefore, the Commission cannot discuss or comment on issues involved in this matter, including those raised in your letter.

A copy of your letter and this response will be served on the participants in the *Yucca Mountain* proceeding.

Sincerely,

A handwritten signature in black ink, appearing to read "Annette L. Vietti-Cook".

Annette L. Vietti-Cook

cc: Service List

US NUCLEAR ENERGY FOUNDATION

"A Viable Alternative-Think About It"

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

07/04/2010

Dear Chairman Jaczko:

In regards to: "The NRC panel of judges has ruled that the administration does not have the authority to withdraw the Yucca Mountain Project application without permission from Congress".

There are many grassroots "citizens" in Nevada and across the country now calling for Nevada to re-consider the Yucca Mountain facility. Senator Harry Reid seems totally opposed to nuclear power and nuclear waste reprocessing or storage in Nevada. Sharron Angle, also a Senatorial candidate is a nuclear energy advocate and supports Yucca Mountain for a reprocessing facility. Many across the state and the country share an understanding for our need for carbon free nuclear energy expansion. Irrespective of Nevada's government "position", its "citizens" have never been "adequately informed" about the truth of Yucca Mountain's capability to store nuclear waste. Unfortunately underhanded politics have been dictating the Yucca Mountain fate and not honoring the law passed by Congress to be carried out by the U. S. Department of Energy.

The DOE, NRC and many other organizations have failed in the public relations advocacy for the Yucca Mountain facility to the citizens of Nevada and the country. The study, plans and application for Yucca Mountain have been passed by Congress. As a citizen I believe that it is the duty of the agencies who serve this country that they follow the law of the land and scientific proof "over" political maneuvering by our representatives.

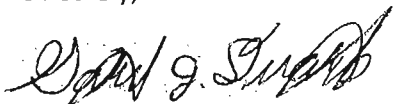
I and many Nevada and U. S. citizens are joining in the following letter of request.

- 1) That our agencies follow the "laws" as established by Congress and "not in any way" hinder those laws from implementation unless reversed by Congressional "vote".
- 2) That our national scientific laboratories be managed and guided by their "science" to serve America's citizens and Congressional law and not political maneuvering by any administration or elected official.
- 3) We therefore are asking that the entire process for the Yucca Mountain facility be put back on track such that the study, plans, application and full congressionally approved funding are restored immediately.

USNEF is an independent non-profit 501 (c)(3). We are not managed by the nuclear industry or any nuclear associations of the industry. We encourage direct citizen participation with our educational mission about nuclear advocacy.

Our mission is to influence change in public opinion towards knowledgeable citizens about nuclear energy and waste repository issues.

Sincerely,



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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
U.S. DEPARTMENT OF ENERGY)
)
(High-Level Waste Repository))
)

Docket No. 63-001-HLW
ASLBP No. 09-892-HLW-CAB04

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Letter from the Secretary to Gary Duarte**, dated August 2, 2010, have been served upon the following persons by Electronic Information Exchange.

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U.S. DEPARTMENT OF ENERGY (High Level Waste Repository) Docket No. 63-001-HLW
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U.S. DEPARTMENT OF ENERGY (High Level Waste Repository) Docket No. 63-001-HLW
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U.S. DEPARTMENT OF ENERGY (High Level Waste Repository) Docket No. 63-001-HLW
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U.S. DEPARTMENT OF ENERGY (High Level Waste Repository) Docket No. 63-001-HLW
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