

November 16, 2010

The Honorable Doc Hastings
Ranking Member, Natural Resources Committee
United States House of Representatives
1203 Longworth House Office Building
Washington, DC 20515-4704

Dear Congressman Hastings:

I am responding to your letter of October 21, 2010, in which you request a status report on Volume III of Yucca Mountain Safety Evaluation Report (SER), a copy of all data used to compile the report, and a copy of the latest draft if the Report will not be released in November.

The NRC technical staff has had the responsibility for the development and publication of Volume III of the Yucca Mountain SER. Commissioners normally do not receive an SER or portion thereof until it is finalized and made public. This is particularly important when a contested adjudicatory proceeding is pending, such as the HLW Repository proceeding in which I served notice of my recusal several months ago. My understanding of the current status of Volume III is that the staff is no longer working toward its completion as a consequence of budget guidance issued on October 4, 2010. Rather, the staff is taking steps toward closure of the Yucca Mountain program. This would include preservation of the staff's work products such as draft Volume III and completion and implementation of a plan to document the staff's review and other knowledge concerning the program.

I understand that your requests have also been referred to the NRC's Office of Congressional Affairs. I very much appreciate your interest in the work of the NRC and your concerns regarding the availability of information of benefit to Congress and the American people.

Sincerely,

/RA/

George Apostolakis