

BRIAN SANDOVAL
Governor

STATE OF NEVADA

ROBERT J HALSTEAD
Executive Director



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December 4, 2014

Chairman Macfarlane
Commissioner Svinicki
Commissioner Ostendorff
Commissioner Baran
Commissioner Burns
U.S. Nuclear Regulatory Commission
Mail Stop O-16G4
Washington, DC 20555

Re: Scope of Environmental Impact Statement Supplement for Proposed Yucca Mountain Geologic Repository

Dear Chairman Macfarlane and Commissioners:

It is apparent from publicly available sources (including the NRC Staff's October 27, 2014 response to Nevada's September 25, 2014 letter (ADAMS ML142809A579)) that the Commission will soon provide direction to the NRC Staff regarding its plan to prepare a supplement to the environmental impact statement for the proposed Yucca Mountain geologic repository. Nevada's September 25, 2014 letter (ML 14269A096) urged the Staff to expand the scope of its proposed supplement to include a reevaluation of the no-action alternative. The Commission direction to the Staff may include some decision about the scope issue raised by Nevada because the scope expansion urged by Nevada will have budgetary implications for the NRC.

Nevada urges the Commission to make any such scope decision in a transparent manner consistent with fundamental fairness and the Commission's "Principles of Good Regulation." Nevada's September 25, 2014 letter was served on all of the parties to the adjudicatory proceeding. The views of the NRC Staff should likewise be served. The views of both the NRC Staff and Nevada should be considered by the Commission. Further, the Commission should consider an order formally soliciting the views of all of the parties and then considering those views before making its decision.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert J. Halstead".

Robert J. Halstead
Executive Director

cc: General Counsel
Secretary of Commission
Executive Director for Operations

Director, NMSS

Parties to the adjudicatory proceeding:

Marta Adams, Chief Deputy Attorney General
U.S. Nuclear Regulatory Commission; Office of the General Counsel
U.S. Department Of Energy; Office of the General Counsel
Counsel for U.S. Department of Energy; Morgan, Lewis & Bockius LLP
Counsel for Nye County, Nevada; Clark Hill PLC
Counsel for Lincoln County, Nevada; Whipple Law Firm
Lincoln County District Attorney
Clark County, Nevada; Elizabeth Vibert
Eureka County, Nevada; Office of the District Attorney
Counsel for Eureka County, Nevada; Harmon, Curran, Speilberg & Eisenberg, LLP
Counsel for Churchill, Esmeralda, Eureka, Mineral and Lander Counties; Armstrong Teasdale,
LLP
Counsel for Churchill, Esmeralda, Eureka, Mineral and Lander Counties; Kolesar & Leatham
Counsel for White Pine County, Nevada; District Attorney
Counsel for Inyo County, Nevada; Gregory L. James, Attorney at Law
Counsel for Inyo County, Nevada; Law Office of Michael Berger
State of Washington; Office of the Attorney General
California Energy Commission
California Department of Justice; Office of the Attorney General - Oakland
California Department of Justice; Office of the Attorney General - Los Angeles
Counsel for State of South Carolina; Davidson & Lindemann, P.A.
Counsel for Aiken County, SC; Haynsworth Sinkler Boyd, PA
Florida Public Service Commission; Office of the General Counsel
Native Community Action Council; Jan Zabarte, Member of Board of Directors
Counsel for Native Community Action Council; Alexander, Berkey, Williams & Weathers
Prairie Island Indian Community; Legal Department
Nuclear Energy Institute, Inc.
Counsel for Nuclear Energy Institute; Pillsbury Winthrop Shaw Pittman, LLP
Counsel for Nuclear Energy Institute; Winston & Strawn, LLP
National Association of Regulatory Utility Commissioners (NARUC)
Counsel for Joint Timbisha Shoshone Tribal Group; Fredericks & Peebles, L.L.P.

CHAIRMAN Resource

From: Shawnee J. Hughes <sjhughes@nuc.state.nv.us>
Sent: Thursday, December 04, 2014 5:19 PM
To: CHAIRMAN Resource; CMRSCINICKI@nrc.gov; CMROSTENDORFF Resource;
CMRBARAN Resource; CMRBURNS Resource
Cc: Marta A. Adams; Michon Martin; Bob J. Halstead;
Alexander_McDonough@reid.senate.gov; Jeremy_Harrell@heller.senate.gov;
ryan@nevadadc.org; Piccone, Josephine
Subject: Letter regarding scope of NRC EIS Supplement for the proposed Yucca Mountain
geologic repository
Attachments: Follow-up Letter on NRC Preparation the Yucca Mountian.pdf

Dear Chairman Macfarlane and Commissioners:

Attached you will find a copy of the letter sent from Executive Director, Robert J. Halstead. Please let me know if any additional information may be needed.

Thanks,

Shawnee J. Hughes, Executive Assistant

Nevada Agency for Nuclear Projects

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