

**GROUP A**

**FOIA/PA NO: 2014-0392**

**RECORDS BEING RELEASED IN THEIR ENTIRETY**



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

January 9, 2012

The Honorable Mark Kirk  
United States Senate  
Washington, DC 20510

Dear Senator Kirk:

This is to acknowledge receipt of your letter dated December 22, 2011, regarding retention of records during consideration of Yucca Mountain as a geological waste repository.

Please be assured that we are working on a response and a reply will be forwarded to you as soon as possible.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca Schmidt".

Rebecca L. Schmidt, Director  
Office of Congressional Affairs

A/1

# United States Senate

WASHINGTON, DC 20540

December 22, 2011

The Honorable Steven Chu  
Secretary  
U.S. Department of Energy  
1000 Independence Ave, S.W.  
Washington, D.C. 20585

The Honorable Gregory B. Jaczko  
Chairman  
United States Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Secretary Chu and Chairman Jaczko:

We are writing to express concern regarding the retention of the intellectual expertise and the preservation of all the scientific information and records produced during the consideration of Yucca Mountain as a geological waste repository.

The expedited closure of the Yucca Mountain project and the steps taken by both the Department of Energy (DOE) and the Nuclear Regulatory Commission (NRC) to close out all activities by the end of Fiscal Year (FY) 2011, has made us concerned that records, technical documents and some physical evidence may be lost, misplaced or become irrecoverable. In July 2010, the DOE Inspector General raised similar concerns with a lack of a proper shutdown plan and the potential impacts this could have on the retention of extensive scientific documents and intellectual information related to the project. Responsible handling of all documentation and important physical evidence relating to Yucca Mountain is critically important for scientific research and development, decision-makers, and the future storage of spent nuclear fuel and high-level waste.

Yucca Mountain is one of the most extensive research and development investments this country has ever undertaken. More than \$14 billion of taxpayer money and nearly 25 years of scientific research, data collection, geologic characterization and evidence was collected to study the Yucca Mountain facility. It is the responsibility of the federal government to ensure that these documents are preserved and available to future decision-makers in a practicable manner.

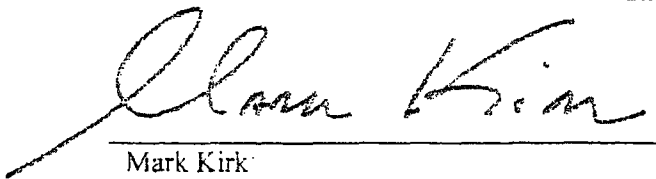
Retaining the knowledge and personnel expertise associated with the Yucca project is equally vital for the future prosperity of a geologic repository for nuclear waste. To date, both the DOE and NRC have halted all operations relating to the project and dismantled teams and dispersed personnel who worked on the Yucca project. In 2010, the DOE dismantled the Office of Civilian Radioactive Waste Management. The NRC began taking similar actions in regards to the Division of High Level Waste Repository Safety in 2011. A high degree of knowledge is inherently lost from each agency when project personnel are scattered, contractors are laid off and contracts are terminated. We are concerned that a transparent plan to preserve and maintain records and scientific expertise has not been presented in detail.

We therefore request that you provide a detailed account of the process your agency is following to handle all records relating to the project, including how all the documents and physical evidence are being stored, and how the public, the administration and lawmakers can access them. Additionally, please explain in detail the agency's contingency plans to reconstitute the necessary organizations to resume the licensing process.

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Preserving the historical records and all scientific documents relating to Yucca Mountain is important to the nation's long-term goal of achieving a permanent solution to our nation's accumulating nuclear waste. We appreciate your detailed plan for handling such documents.

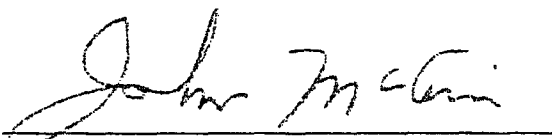
Sincerely,



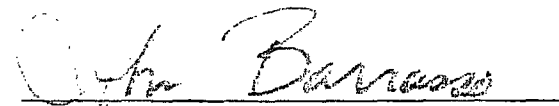
Mark Kirk  
United States Senator



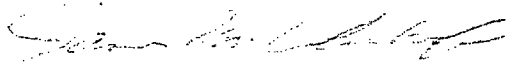
Mike Crapo  
United States Senator



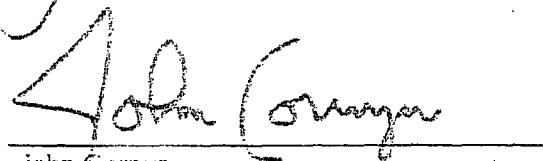
John McCain  
United States Senator



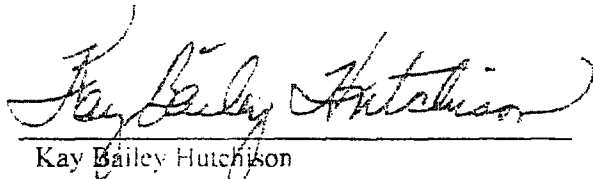
John Barrasso  
United States Senator



James M. Inhofe  
United States Senator



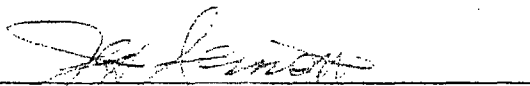
John Cornyn  
United States Senator



Kay Bailey Hutchison  
United States Senator



James E. Risch  
United States Senator



Jeff Sessions  
United States Senator

cc: NRC Commissioners  
DOE Inspector General