

March 15, 2018

Robert J. Halstead
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Dear Mr. Halstead,

I have received your letter dated March, 12, 2018, which poses questions regarding my March 5, 2018, meeting with representatives from Nye County. Please find responses to your seven questions below.

(1) Why, and when, did you agree to meet in private with Nye County?

Like many NRC Commissioners, I have a long-standing open door policy, under which I routinely accept requests from stakeholders to meet on a variety of topics. The open door policy enhances agency openness, which is one of the NRC's Principles of Good Regulation. I received a request from Nye County representatives to meet on February 23 of this year, and pursuant to my open-door policy, I agreed to the request.

(2) Why were the other parties not notified in advance of the meeting?

There is no NRC requirement that NRC Commissioners, or other adjudicatory employees, notify the parties to an adjudicatory proceeding prior to meeting with a litigant. However, given the high level of public interest in this proceeding, and to further the interests of transparency, I posted a notification of this meeting on the docket shortly after the meeting.

(3) What was the purpose of the meeting?

As noted above, I scheduled this meeting at Nye County's request. Based on the discussion during the meeting, I believe that Nye County's purpose in scheduling the meeting was to describe infrastructure developments over the past decade in Nye County that could be used to host adjudicatory activities if the adjudication were to restart.

(4) Who attended the meeting?

The meeting was attended by Dan Schinhofen, Commissioner, Nye County; Lorinda Wichman, Commissioner, Nye County; Tim Sutton, Manager, Nye County; and Rick Spees, Akerman Law Firm. I was accompanied by Maxwell Smith, my senior legal counsel and Richard Harper, my legal counsel.

(5) What was discussed at the meeting?

I opened the meeting by reminding the participants that, in light of the NRC's *ex parte* communications rule, we could not discuss any pending adjudicatory challenges, or contentions, to the Department of Energy's construction authorization application. The representatives from Nye County acknowledged that they understood this restriction. As noted above, the representatives from Nye County discussed infrastructure developments in Nye County over the last decade, such as increased hotel capacity, the availability of larger meeting venues, and widened highway lanes. Nye County's representatives asserted that should the adjudicatory proceeding restart, Nye County facilities would be capable of hosting some or all of the hearings in light of these developments.

(6) Were any promises or commitments made at the meeting?

No.

(7) Were any materials distributed at the meeting or any meeting summaries or notes prepared after the meeting?

No materials were distributed at the meeting, and no meeting summaries or notes were prepared after the meeting.

Should you have any further questions or require any additional information, please contact my Senior Legal Counsel, Maxwell C. Smith, at (301) 415-1850.

Sincerely,

/RA/

Kristine L. Svinicki

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 CHAIRMAN KRISTINE SVINICKI TO ROBERT HALSTEAD**" have been served upon the following persons by Electronic Information Exchange and by e-mail.

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U.S. DEPARTMENT OF ENERGY (High Level Waste Repository) Docket No. 63-001-HLW
LETTER FROM CHAIRMAN KRISTINE SVINICKI TO ROBERT HALSTEAD

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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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LETTER FROM CHAIRMAN KRISTINE SVINICKI TO ROBERT HALSTEAD

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[Original Signed by Herald M. Speiser]
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Dated at Rockville, Maryland
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