

June 26, 2003

The Honorable Shelley Berkley
United States House of Representatives
Washington, D.C. 20515

Dear Congresswoman Berkley:

On behalf of the Commission, I am responding to your May 20, 2003, letter in which you urge the U.S. Nuclear Regulatory Commission (NRC) to expedite plans to have its Region IV office take responsibility for the onsite inspection oversight for the Yucca Mountain Site Nevada project.

We appreciate your interest in NRC's role in the potential licensing of the geologic repository at Yucca Mountain. I can assure you that we take our regulatory oversight responsibilities very seriously. As you are aware, NRC's oversight responsibilities for Yucca Mountain have been managed out of our Headquarters office in Rockville, Maryland, with two onsite representatives located at the Department of Energy office in Summerlin, Nevada. Consistent with NRC's oversight programs for commercial nuclear power reactors, fuel cycle facilities, and spent fuel storage facilities, NRC has planned, since the beginning of the program, to conduct a phased transition of the oversight and program responsibilities for Yucca Mountain from Headquarters to Region IV at an appropriate time in the licensing process. To that end, headquarters staff has worked closely with Region IV staff over the past two years in the transition planning process. Beginning in FY 2004, Region IV will assist Headquarters with development of the inspection, enforcement, and allegation management programs that would be needed for Yucca Mountain. Following submission of a license application, Region IV inspectors will assist Headquarters staff in conducting appropriate oversight activities as the NRC begins its license review.

It is important to note that the timing of the phased approach for increasing the NRC's regional role depends on DOE's schedule and the NRC licensing review. Planning, to date, including the transition approach outlined in this response, is based on receipt of a license application in December 2004.

Thank you for your interest in these matters. If you have any further questions or comments, please contact me.

Sincerely,

/RA/

Nils J. Diaz