

November 6, 2003

Ms. Judy Treichel, Executive Director
Nevada Nuclear Waste Task Force, Inc.
Alamo Plaza
4550 W. Oakey Boulevard, Suite 111
Las Vegas, Nevada 89102

Dear Ms. Treichel:

I am writing in response to your letter of June 25, 2003, to Chairman Diaz, concerning the U.S. Department of Energy's (DOE's) proposal to integrate Key Technical Issue (KTI) Agreement responses for the proposed geologic repository at Yucca Mountain. In your letter, you expressed concern that DOE is proposing to shortcut the KTI resolution process to meet the deadline for submission of a license application to the NRC. Furthermore, you raised concerns about DOE's past performance regarding program implementation and the NRC's oversight of such a proposed geologic repository. At your request, we waited to respond to your letter until the NRC/DOE Technical Exchange meeting on KTI Agreement responses was conducted on September 23, 2003.

With regard to your concern over DOE's strategy to integrate or "bundle" agreement responses, the NRC staff focus is on addressing KTI Agreements and DOE's supporting technical basis. Furthermore, consistent with previous NRC staff comments to DOE on the need for an integrated look at system performance, NRC believes that integrating agreement responses may provide some benefits because of the cross-cutting nature of the technical issues. However, the NRC staff has insisted on, and DOE is still committed to, addressing each individual agreement appropriately. In addition, consistent with the staff's current approach for reviewing DOE agreement submittals, NRC will determine whether the DOE submittal meets the intent of the original agreement and will prepare a letter response to DOE.

Consistent with current practice, the NRC staff will keep you and other stakeholders informed of any plans to conduct public meetings between NRC and DOE on important program areas such as KTI resolution. We thank you for your interest in this matter.

If you have any questions, please contact Mrs. Janet R. Schlueter of my staff. She can be reached at 301-415-7264 or jrs1@nrc.gov.

Sincerely,

J. Schlueter for /RA/

C. William Reamer, Deputy Director
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards