

August 3, 2003

Mr. Peter Bluemle  
6400 Sharlands Ave. #J2062  
Reno, NV 89523

Dear Mr. Bluemle:

I am replying, on behalf of Dr. Travers, to your July 4, 2003, letter, transmitting your views and concerns about the proposed repository at Yucca Mountain, Nevada. Thank you for taking the time to share your thoughts about this important licensing decision that may soon face the U.S. Nuclear Regulatory Commission (NRC). You expressed some uncertainty about source of the specifications or guidelines for the U. S. Department of Energy's (DOE's) decisions on nuclear power and its waste. DOE's obligations to site, design, and seek a license for a geologic repository for high-level waste disposal, are specified in the Nuclear Waste Policy Act of 1982 (as amended). This law was further modified by Section 801 of the Energy Policy Act of 1992. I have attached copies of both laws. Among other things, the Nuclear Waste Policy Act gave NRC the responsibility for deciding whether or not to license such a facility. NRC must make this decision using technical criteria that are consistent with standards set by the U.S. Environmental Protection Agency. NRC published these technical criteria on November 2, 2001. As you requested in your letter, I am enclosing a copy of these criteria, as they appear at Chapter 10 of the Code of Federal Regulations, Part 63.

About your concern that mistakes or errors in DOE's license application may be overlooked, I want to assure you that NRC takes very seriously its duty to conduct a thorough licensing review, and is preparing to carry out that duty. DOE has stated its intent to submit a license application to NRC in December 2004. In addition to a thorough technical review, NRC will base its decision to grant or deny a license on a full and fair public hearing. The Commission must be satisfied that the proposed facility is safe, or it will not permit DOE to build the repository. NRC will grant a license only if all applicable health and safety rules are met.

In your letter, you also raise a number of technical concerns, about the geologic setting (e.g., likelihood of earthquakes and volcanoes), the waste package, and DOE's ability to retrieve waste, that will be among the many important issues affecting safety of a potential repository at Yucca Mountain. DOE must address these issues, and many others, in its application, and NRC must review them, to evaluate the soundness of DOE's safety case. The NRC staff recently published a detailed plan for reviewing these and many other important issues affecting safety of a potential repository at Yucca Mountain. I have enclosed a copy of this document, which reflects many changes and improvements NRC made in response to public comments we received over the past year.

I have also enclosed a number of information sheets on NRC's role and preparations for reviewing a potential license application for a repository at Yucca Mountain. I have included a brochure that addresses many of your concerns about the safety of transporting spent nuclear fuel.

I hope you find these, and the other enclosed materials responsive to your requests and concerns. Dr. Janet Kotra of my staff has made several attempts to contact you, and left messages at the phone number you included in your letter. Please feel free to contact her by phone if you have further questions. She can be reached at extension x6674, by calling NRC's toll-free number, 1-800-368-5642. Thank you for your interest in NRC's regulatory program, and for expressing your views on the potential repository at Yucca Mountain.

Sincerely,

**/RA/**

Martin Virgilio, Director  
Office of Nuclear Material Safety  
and Safeguards

Enclosures: As stated

P. Bluemle

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I hope you find these, and the other enclosed materials responsive to your requests and concerns. Dr. Janet Kotra of my staff has made several attempts to contact you, and left messages at the phone number you included in your letter. Please feel free to contact her by phone if you have further questions. She can be reached at extension x6674, by calling NRC's toll-free number, 1-800-368-5642. Thank you for your interest in NRC's regulatory program, and for expressing your views on the potential repository at Yucca Mountain.

Sincerely,

**/RA/**

Martin Virgilio, Director  
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Enclosures: As stated

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\*See Previous Concurrence

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