

## DEPARTMENT OF HEALTH SERVICES

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November 7, 1996

Ms. Shirley Anne Jackson, Chairman  
U.S. Nuclear Regulatory Commission  
11555 Rockville Pike  
Mail Stop 16G-15 OWFN  
Washington, D.C. 20555

Dear Ms. Jackson:

As you know, the U.S. Department of the Interior (DOI) is in the process of carrying out a second Supplemental Environmental Impact Statement (SEIS) for California's proposed low-level radioactive waste disposal facility at Ward Valley. In our view, this process is completely illegitimate. Since the Nuclear Regulatory Commission (NRC) has taken the position that the SEIS process is legitimate, it is unsettling that neither the Nuclear Regulatory Commission (NRC) nor the Department of Energy submitted any comments during the scoping process for the SEIS, although the Environmental Protection Agency did so.

We understand that the Request for Proposal (RFP) for the preparation of the SEIS will be released shortly. In light of the fact that neither the NRC nor the DOE commented on the scope of the SEIS it is likely that the scope of the RFP will be inappropriate, particularly with respect to matters related to radiation safety. We therefore request that the NRC review the RFP when it becomes available and provide appropriate comments. We further request that the NRC provide comments on any draft or final SEIS which is prepared. Since the DOI lacks expertise in the area of health and safety issues related to the disposal of radioactive materials the process will, no doubt, greatly benefit from your agency's involvement.

Thank you for your consideration in this matter. Please feel free to contact me if you have any questions.

Very truly yours,

A handwritten signature in cursive script that reads "Carl Lischeske".

Carl Lischeske, Manager  
Low-Level Radioactive Waste Program