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# United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

June 23, 2010

The Honorable Gregory Jaczko  
Chairman  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Dear Chairman Jaczko:

I am writing to request the status of the Nuclear Regulatory Commission's technical review of the Department of Energy's (DOE) license application for construction authorization of the proposed repository at Yucca Mountain.

It is my understanding that the Atomic Safety and Licensing Board (ASLB) has suspended the hearing process on the license application and is presently considering a motion by the DOE to withdraw the license application with prejudice.

I also understand, however, that the NRC staff's technical review of the DOE license application is continuing and that the NRC staff has recently reported to the ASLB regarding their expectation of completing their review and issuing Volume 1 of the Safety Evaluation Report (SER) possibly as soon as this August and Volume 3 before the end of this year. Unless and until the Commission ultimately rules on DOE's motion to withdraw the license application, it is my view that the staff's work should continue. Furthermore, any completed volumes should be made available to the public in keeping with the Commission's commitment to openness and transparency.

Accordingly, I request a detailed update on the status of the NRC staff's technical review of the Yucca license application. In particular, please provide the current schedule for completing and issuing the various volumes of the SER, including any volumes already completed and making them publicly available. Please describe any potential issues or concerns the NRC staff has identified that would preclude the proposed repository from meeting all applicable Federal standards for protecting public health and safety and the environment. Please include the number of outstanding requests for additional information.

I respectfully request that the Commission respond by June 30, 2010. Please contact Annie Caputo with the Committee on Environment and Public Works with any questions you may have. She can be reached at 202-224-6176.

Sincerely,



James M. Inhofe

Cc: Commissioner Kristine L. Svinicki  
Commissioner George Apostolakis  
Commissioner William D. Magwood, IV  
Commissioner William C. Ostendorff