

April 16, 2004

Ms. Robin M. Nazarro
Director, Science Issues
Natural Resources and Environment
United States General Accounting Office
441 G Street, NW
Washington, D.C. 20548

Dear Ms. Nazarro:

I would like to thank you for the opportunity to review and submit comments on the draft report, "YUCCA MOUNTAIN: Persistent Quality Assurance Problems Could Delay Repository Licensing and Operation" (GAO-04-460). The U.S. Nuclear Regulatory Commission (NRC) appreciates the time and effort that you and your staff have taken to review this important topic.

The NRC agrees with the GAO conclusion that the Department of Energy (DOE) should continue to improve the Quality Assurance Program for the proposed Yucca Mountain Repository. With respect to the specific GAO recommendations contained in the draft report, NRC suggests that DOE be given the flexibility to choose alternative approaches to achieve and measure improved Quality Assurance Program performance, since alternatives may be more suitable for the situation as DOE nears, then moves beyond, submittal of the license application.

Two minor clarifying comments on the draft report are enclosed. If you have any questions, please contact Mr. Tom Matula at (301) 415-6700 or Mr. Ted Carter at (301) 415-6684, of my staff.

Sincerely,

/RA Carl Paperiello Acting For/

William D. Travers
Executive Director
for Operations

Enclosure:
Specific Comments on Draft Report GAO-04-460

SPECIFIC COMMENTS ON DRAFT REPORT GAO-04-460

1. NRC recommends changing the third to last sentence on page 29 of the draft report as follows: “~~During or after the technical analysis,~~ NRC will hold public hearings chaired by its Atomic Safety and Licensing Board to examine specific contested topics.”
2. NRC recommends changing the next-to-last sentence on page 29 as follows: “Finally, within 3-4 years from the date NRC docket the application, NRC will make a decision to ~~accept grant~~ the application, reject the application, or ~~accept grant~~ it with conditions.”