



COMMISSIONER

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555

February 24, 2011

The Honorable Ralph M. Hall  
Chairman, Committee on Science,  
Space, and Technology  
United States House of Representatives  
Washington, DC 20515-6301

Dear Chairman Hall:

Thank you for your recent letter regarding your concerns about the Nuclear Regulatory Commission's (NRC's) work on the review of the license application, submitted by the Department of Energy, for a High-Level Waste Repository at the Yucca Mountain site. I appreciate your concerns and your ongoing interest in this issue.

As noted in your letter, members of the Commission have publically expressed concerns about various actions taken with respect to the NRC's high-level waste program—including those associated with the handling of Volume III of the Yucca Mountain Safety Evaluation Report (SER). As a result of these concerns, as well as others not publically divulged, this matter remains the subject of active discussion within the Commission. We recognize the urgency you and many other members of Congress place on the final resolution of these matters and will continue to work to that end.

Your letter also requested that the agency provide your Committee with all documents related to the SER release and an update on the status of the remaining volumes of the SER. The NRC Staff released Volume I of the SER to the parties in the NRC's adjudicatory proceeding on August 23, 2010. Volume I also became available to the public and to the Commission on that date. The remaining SER volumes have not been released, so the Commission does not have access to these materials or information at the current time. However, I have referred your requests to the NRC's Office of Congressional Affairs for response.

I look forward to working with you as your consideration of these matters proceeds.

Sincerely,

A handwritten signature in black ink, appearing to read "William D. Magwood, IV".

William D. Magwood, IV

Identical Letters were also sent to the following Congressmen:

The Honorable Paul Broun, M.D.  
Chairman, Subcommittee on  
Investigations and Oversight  
Committee on Science, Space,  
and Technology  
United States House of Representatives  
Washington, DC 20515-6301

The Honorable Andy Harris  
Chairman, Subcommittee on Energy  
and Environment  
Committee on Science, Space,  
and Technology  
United States House of Representatives  
Washington, DC 20515-6301

The Honorable F. James Sensenbrenner, Jr.  
Vice-Chairman, Committee on Science,  
Space, and Technology  
United States House of Representatives  
Washington, DC 20515-6301