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**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515—4306

December 11, 2001

DEC 18 2001

The Honorable Jared L. Cohon, Ph.D.  
Chairman  
United States Nuclear Waste Technical Review Board  
2300 Clarendon Boulevard  
Suite 1300  
Arlington, Virginia 22201

Dear Dr. Cohon:

As you know, the safe and permanent disposal of high-level nuclear waste is a matter of significant importance for all the citizens of this nation. We noted with great interest the letter you recently received from two of our colleagues in the Senate, Harry Reid and John Ensign of Nevada, asking for the Board's views on certain aspects of the expected Yucca Mountain repository site recommendation decision. The House Energy and Air Quality Subcommittee is also significantly interested in the scientific basis for this decision. We are writing to join Senator's Reid and Ensign in enquiring about the Board's scientific views.

Most of us in Congress have been greatly encouraged by the scientific progress made by the Department of Energy in recent years. We understand that DOE's scientific results have been subject to a significant amount of review by both the public and scientific organizations such as the Board. The preponderance of the scientific information appears to indicate that the proposed repository site is or can be suitable for the protection of public health and safety. A peer review panel of the International Atomic Energy Agency, requested by DOE in consultation with the Board, recently concluded that DOE's approach is "soundly based and has been implemented in a competent manner" and that this approach "provides an adequate basis for supporting a statement on likely compliance within the regulatory period of 10,000 years and, accordingly, for the site recommendation decision."

However, since the Board has raised a number of concerns about DOE's repository development efforts at Yucca Mountain, we would like to join our colleagues from Nevada and, to gain a greater sense of perspective regarding the Board's concerns, ask for the Board's views on two additional questions:

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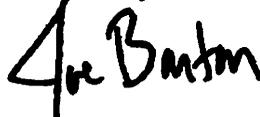
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1. Does the Board have any reason to believe that the site currently being studied at Yucca Mountain could not be made suitable for the development of a repository? If so, please explain any such reason(s).
2. What improvements can DOE make in its research and design that would improve the effectiveness of a repository at that location? In keeping with the "step-wise repository development" approach recommended by the National Academy of Sciences, how can such improvements best be phased into the evolving repository design?

In asking these questions we would like to emphasize the importance that the Board's rigorous scientific review plays in this process. DOE's scientific program has been greatly strengthened by the Board's inquiry. If a decision is made to move to the next step in the repository development process at Yucca Mountain, consideration of a NRC license to construct and operate a repository, we expect that the Board will continue to provide an active, highly informed, and politically unbiased review.

We appreciate your consideration of this request and look forward to hearing from you.

Sincerely,

A handwritten signature in black ink that reads "Joe Barton". The signature is written in a cursive, slightly slanted style.

Joe Barton  
Member of Congress

JB:sw

c: The Honorable Spencer Abraham  
The Honorable Richard Meserve