



**OFFICE OF THE GOVERNOR
AGENCY FOR NUCLEAR PROJECTS**

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November 27, 2002

Dr. Margaret Chu, Director
Office of Civilian Radioactive Waste Management
U.S. Department of Energy
Washington, DC 20585

Dear Dr. Chu:

Pursuant to the recent media articles regarding the Quality Assurance whistleblowers' claims regarding the Yucca Mountain QA program and the subsequent investigation and report by the Department of Labor, we are again requesting an unredacted copy of the Morgan-Lewis report that DOE commissioned purportedly in response to the initial claims of wrongdoing.

As you are well aware, the Yucca Mountain Project has had significant problems implementing an adequate QA program. Even before the Nuclear Waste Policy Act was passed, DOE was having problems with even a basic QA program for protecting drill core. Once the NRC began actual oversight of the QA program, the major discrepancies in the DOE QA program became even more apparent. In 1986 and again in 1988, DOE had to issue Stop Work Orders to the USGS primarily because DOE was trying to implement a nuclear reactor based QA program on scientific work. This attempt continues to this date.

The DOE QA program has been one long instance of promises made but unkept to the NRC, the state of Nevada, and the public. The QA program has suffered repeated (1995, 1998, and 1999, at a minimum) systemic breakdowns, to the point where most, if not all, of the data collected before 2000 has had to be requalified for its intended use. In other words, the vast majority of the data that might be used in licensing has had QA "backfitted" onto it, instead of applied during the collection of the data.

With the surfacing of the current whistleblower complaints, the manner in which DOE handled the complaints, and the sharp criticisms contained in the Department of Labor report from their investigation, keeping the full Morgan-Lewis report from the public does nothing but indicate that DOE has much to hide regarding this “sophisticated recitation of anonymous charges”, as it was described in the Department of Labor report. Bringing these incidents out in the open could only help DOE in its quest to really make this program “the most open program in its history.”

I look forward to your prompt response to this request. If you have any questions, please do not hesitate to contact me.

Sincerely,

Robert R. Loux
Executive Director

cc: Nevada Congressional Delegation
Governor Kenny Guinn
Commission on Nuclear Projects