



**OFFICE OF THE GOVERNOR
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June 18, 2007

Edward Sproat
Director
Office of Civilian Radioactive Waste Management
US Department of Energy
1000 Independence Ave. S.E.
Washington, DC 20585

Dear Mr. Sproat:

I am responding to your letter to me of June 8, 2008, in which you suggested that you may make staff and resources available to assist us in our understanding of the Department's Total System Performance Assessment, methodology, assumptions, modeling and calculations. We regard any such interactions as absolutely necessary, but certainly not sufficient, to our meaningful evaluation of the TSPA in the Yucca Mountain licensing proceeding. The bulk of your letter addresses legal positions with which we strongly disagree, and, assuming your answers reflect Departmental policy, we intend to challenge DOE's approach before the PAPO. Prior to any such challenge, however, our attorneys would like to discuss the issues with your attorneys to see whether areas of disagreement can be narrowed. If you do not object to this approach, I will try to set the wheels in motion promptly.

In any event, Nevada is very interested in meetings of our experts with your computer simulation team as soon as possible to facilitate a better understanding of the model and DOE's performance assessment calculations. The only dates that our experts are not available in the near term are the weeks beginning July 9, 16, and 23, August 6, and October 1.

I look forward to hearing from you soon so we can get these vital discussions underway.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert R. Loux". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Robert R. Loux
Executive Director

cc: Martha Crosland, Mike Shebelski
Nevada Congressional Delegation