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NATURAL RESOURCES DEFENSE COUNCIL • NEVADA DESERT EXPERIENCE •  
NEVADA NUCLEAR WASTE TASK FORCE • NUCLEAR ENERGY INFORMATION SERVICE •  
NUCLEAR INFORMATION AND RESOURCE SERVICE • NUCLEAR REALITY CAMPAIGN •  
PUBLIC CITIZEN • SAN LUIS OBISPO MOTHERS FOR PEACE • SIERRA CLUB •  
SOUTHERN ALLIANCE FOR CLEAN ENERGY • WOMEN'S ACTION FOR NEW DIRECTIONS**

July 2, 2004

The Honorable Spencer Abraham  
Department of Energy  
Forrestal Building  
1000 Independence Ave, SW  
Washington, DC 20585

Dear Secretary Abraham:

On behalf of the many hundreds of thousands of members of our national environmental and public interest organizations, we are writing to challenge your initial certification for the Licensing Support Network (LSN) to the U.S. Nuclear Regulatory Commission (NRC) in connection with DOE's license application for construction of a high-level radioactive waste repository at Yucca Mountain, Nevada. Despite DOE's self-certification, the LSN Document Collection site (<http://search.lsnnext.us/search/docsearch>) is incomplete and inaccessible to the public.

On June 30, DOE certified to the NRC that all of the DOE's documents relating to the Yucca Mountain license application are publicly available on DOE's LSN Document Collection site. NRC regulations stipulate that these documents must be posted six months before DOE can submit its license application to the NRC. According to DOE's June 30 press release, 5.6 million pages have been posted on DOE's web site. However, as recently as April, DOE estimated that the number of pages to be posted was in the range of 36 million. Furthermore, the NRC says that it has not yet received 700,000 of the 1.2 million electronic documents to be indexed and posted to the NRC's Licensing Support Network site ([www.lsnnet.gov](http://www.lsnnet.gov)). It is impossible for the public to participate in the NRC Yucca Mountain licensing process when only a small fraction of documents are indexed and available on the NRC Licensing Support Network.

In addition, the usefulness of the DOE's database as currently configured is severely limited. The posted documents are not yet indexed, making it extraordinarily difficult, and for all practical purposes impossible, to navigate the database. Moreover, some of the documents are only referenced with no link to the actual document provided. Other documents are entitled "No title," which gives the public no indication of their relevance. Furthermore, some text documents are posted in an unreadable format. Finally, the

advanced search feature does not include any explanation of the possible search categories.

As you know, DOE posted the following notice on its LSN Document Collection site after certifying that the site was publicly available:

We are experiencing a software problem affecting a subset of the documents. When you select the “View Header Content” or the “View OCR Content” icon you may receive the error message “The page can not be found” or “Forbidden”. This problem will be resolved as soon as possible.

Furthermore, the DOE LSN Document Collection site was taken down late Thursday afternoon, July 1. Clearly, the LSN Document Collection site does not meet the standards established in 10 C.F.R. 2, Subpart J, which requires that the site be “available.”

We request that you withdraw your certification until DOE’s submission of documentary material is actually completed, and the submitted materials are thoroughly indexed and posted, and entirely readable and accessible on the Licensing Support Network website.

Sincerely,

Susan Gordon  
Director  
Alliance for Nuclear Accountability

Karen Wayland  
Legislative Director  
Natural Resources Defense Council

Grant Smith  
Executive Director  
Citizens Action Coalition of Indiana

Paul Colbert  
Program Director  
Nevada Desert Experience

Peggy Maze Johnson  
Executive Director  
Citizen Alert

Judy Treichel  
Executive Director  
Nevada Nuclear Waste Task Force

Jason Groenewold  
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Healthy Environmental Alliance of Utah

David Kraft  
Executive Director  
Nuclear Energy Information Service

Edward Heisel  
Executive Director  
Missouri Coalition for the Environment

Michael Mariotte  
Executive Director  
Nuclear Information and Resource Service

Kevin Curtis  
Vice President  
National Environmental Trust

Geoff Ower  
Coordinator  
Nuclear Reality Campaign

Wenonah Hauter  
Director, Energy Program  
Public Citizen

Daniel Becker  
Director, Global Warming Program  
Sierra Club

Rochelle Becker  
Project Coordinator Diablo Canyon  
Safety Issues  
San Luis Obispo Mothers for Peace

Sara Barczak  
Safe Energy Director  
Southern Alliance for Clean Energy

Susan Shaer  
Executive Director  
Women's Action for New Directions

Cc:

David Garman, Under Secretary of Energy  
Dr. Margaret Chu, Director, Office of Civilian Radioactive Waste Management  
Members of the Senate Appropriations Committee  
Members of the Senate Energy and Natural Resources Committee  
Members of the House Appropriations Committee  
Members of the House Energy and Commerce Committee