



Department of Energy
Office of Civilian Radioactive Waste Management
Office of Repository Development
1551 Hillshire Drive
Las Vegas, NV 89134-6321

QA: N/A

JAN 18 2005

Ms. R. E. Sutherland
P. O. Box 901
Jackson, SC 29831

COPY

Dear Ms. Sutherland:

Your December 15, 2004, Freedom of Information Act (FOIA) request to the U.S. Department of Energy's (DOE) Washington, DC, office was forwarded to my attention on December 21, 2004, to prepare a response. Please reference ORD-FOIA 05-13 in any future correspondence regarding this matter.

A search of the Office of Repository Development's records for responsive documents to your request for a "copy of the document . . . by which the Governor of Nevada notified DOE that his state had been notified for participation in the development of Yucca Mountain and that he was willing to receive funds as is stated in Title 1 . . ." was conducted. Upon completion of our search, no responsive documents were found. However, enclosed are several documents between DOE and the state of Nevada regarding DOE's offer to enter into a benefits agreement and the state of Nevada's response. The documents consist of the following (MOL.HQO.880712.0018):



1. Letter dated July 25, 1986, Donald L. Vieth to Robert R. Loux, Jr. (NNA.870423.0164; 1 page)
2. Letters dated November 19, 1986, Ben C. Rusche to Richard W. [H.] Bryan and December 16, 1986, Richard H. Bryan to John S. Herrington (NNA.921208.0334; 14 pages)
3. Letter Ben C. Rusche to Richard W. [H.] Bryan (MOV.19960903.0071; 3 pages)
4. Letters dated April 6, 1988, John S. Herrington to Governor Bryan; May 20, 1988, Richard H. Bryan to John S. Herrington; and, July 11, 1988, John S. Herrington to Governor Bryan (HQO.880712.0018; 6 pages)

Fees are waived for this request because the cost of processing any fees exceeds the cost incurred. This completes our response to your request. If I can be of further assistance, please contact me at (702) 794-5004 or by e-mail at diane_quenell@ymp.gov.

Sincerely,

Diane Quenell
FOIA Officer

Enclosures:
As stated