

Egan & Associates, PLLC  
Suite 600  
7918 Jones Branch Drive  
McLean, VA 22102

Dear Mr. Joseph R. Egan

I am responding to the petition for rulemaking (PRM) dated July 12, 2002, that you submitted to the U.S. Nuclear Regulatory Commission (NRC) on behalf of the State of Nevada. Your petition, docketed as PRM- 63-1, requested that NRC amend 10 CFR Part 63, its regulations governing disposal of high-level radioactive wastes in a proposed geologic repository at Yucca Mountain, Nevada.

NRC has considered the petition and your supporting rationale. For the reasons provided in the enclosed Federal Register notice, your petition is denied. In summary, the petition is being denied because we have determined that: (1) the petition's assertions that Part 63 is not in full compliance with the Nuclear Waste Policy Act of 1982, as amended, nor the Atomic Energy Act of 1954, as amended, are completely without substance; and (2) the petition does not appear to present any significant new information or recommendations that the Commission did not already consider in the recent rulemaking that established Part 63, and it would be an unwise expenditure of resources to reconsider issues involved in that rulemaking.

The Federal Register notice denying the petition is being transmitted to the Office of the Federal Register, for publication.

Sincerely,

Annette Vietti-Cook  
Secretary of the Commission

Enclosure: Federal Register Notice  
Denying Petition

cc: Robert R. Loux, Executive Director  
Agency for Nuclear Projects  
1802 N. Carson Street  
Carson City, NV 89701