

May 10, 2000

Dr. B. John Garrick, Chairman
Advisory Committee on Nuclear Waste
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

SUBJECT: COMMENTS AND RECOMMENDATIONS ON THE DRAFT FINAL RULE,
10 CFR PART 63, DISPOSAL OF HIGH-LEVEL RADIOACTIVE WASTE IN A
PROPOSED GEOLOGIC REPOSITORY AT YUCCA MOUNTAIN, NEVADA

Dear Dr. Garrick:

I am responding to your March 31, 2000, letter to the Chairman. In that letter you provided the views of the Advisory Committee on Nuclear Waste (hereafter, the Committee) on the draft final rule, 10 CFR Part 63, for disposal of high-level radioactive waste in a proposed geologic repository at Yucca Mountain, Nevada. In particular, the Committee offered some general comments and conveyed recommendations in six specific areas (i.e., demonstration of multiple barriers, performance confirmation, design basis events, evaluation of the consequences of human intrusion, waste retrievability, and assessment of transportation risks).

Based on letters, meetings and other interactions with the Committee on this subject, the staff understands and appreciates the Committee's overall support for the draft final rule. As evidenced by the Committee's reference to the many letters provided to the Commission during the development of Part 63, the staff believes that this outcome is a direct result of the many substantive interactions between the Committee and the staff. I would also note that the Committee provided recommendations that offer views which differ somewhat from the staff's approach in the draft final rule regarding multiple barriers and human intrusion, as well as the quantification of defense-in-depth. The Committee's recommendations are appreciated, and these recommendations, along with the basis for the staff's approach in the final rulemaking package, will provide the Commission with sufficient information to evaluate the adequacy of the draft final rule.

In conclusion, I wish to thank the Committee not only for its comments in the subject letter, but also for all its thoughtful guidance, over the past few years, which has provided valuable insights to the staff during its development of Part 63. We welcome the Committee's future

Dr. B. John Garrick

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observations and recommendations, regarding the development of the Yucca Mountain Review Plan, that will provide more opportunity to discuss ideas on important issues, such as evaluations for multiple barriers and human intrusion.

Sincerely,

/RA by James L. Blaha Acting for/

William D. Travers
Executive Director
for Operations

cc: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
SECY

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