

September 7, 2001

The Honorable Harry Reid, Chairman
Subcommittee on Transportation,
Infrastructure, and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

The Nuclear Regulatory Commission (NRC) intends to publish final amendments to the Commission's rules in the Federal Register within the next 60 to 90 days. The new rule, 10 CFR Part 63, establishes risk-informed, performance-based criteria for the disposal of high-level radioactive waste at the potential geologic repository at Yucca Mountain, Nevada.

The NRC published proposed 10 CFR Part 63 on February 22, 1999 (64 FR 8640). Approximately 160 written comment letters were received during the comment period, and public comments were also received at a series of public meetings held in Nevada during the public comment period. The Commission has carefully considered these comments in developing the final rule. The draft final rule, the staff requirements memorandum and the Commission voting record are publicly available. The final rule will be published in the Federal Register after the Office of Management and Budget has completed its review of the rule's information collection requirements.

The Commission was directed by the Energy Policy Act of 1992 (EnPA), Public Law 102-486, to modify its technical criteria, as necessary, to be consistent with health and safety standards for Yucca Mountain, issued by the U.S. Environmental Protection Agency (EPA) pursuant to the same statute. The EPA published its final regulations, 40 CFR Part 197, on June 13, 2001 (66 FR 32073). In accordance with EnPA, the Commission has modified the final Part 63 to be consistent with EPA's standards.

When the final rule is published in the Federal Register we will provide you a copy.

Sincerely,

/RA/

Richard A. Meserve

cc: Senator James M. Inhofe

LIST OF ADDRESSEES

The Honorable Harry Reid, Chairman
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Infrastructure, and Nuclear Safety
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Washington, D.C. 20510

cc: Senator James M. Inhofe

The Honorable Joe Barton, Chairman
Subcommittee on Energy and Air Quality
Committee on Energy and Commerce
United States House of Representatives
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cc: Representative Rick Boucher

The Honorable Sonny Callahan, Chairman
Subcommittee on Energy and Water Development
Committee on Appropriations
United States House of Representatives
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cc: Representative Peter J. Visclosky

The Honorable Harry Reid, Chairman
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cc: Senator Pete V. Domenici

The Honorable W.J. "Billy" Tauzin, Chairman
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cc: Representative John D. Dingell

The Honorable Jeff Bingaman, Chairman
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cc: Senator Frank Murkowski

The Honorable James M. Jeffords, Chairman
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cc: Senator Bob Smith

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The Honorable John Ensign
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The Honorable Shelley Berkley
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