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# NRC NEWS

**U.S. NUCLEAR REGULATORY COMMISSION**

Office of Public Affairs

Telephone: 301/415-8200

Washington, DC 20555-001

E-mail: [opa@nrc.gov](mailto:opa@nrc.gov)

Web Site: <http://www.nrc.gov/OPA>

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## **NRC REVISES REGULATIONS FOR A POSSIBLE LICENSING DECISION ON A POTENTIAL RADIOACTIVE WASTE REPOSITORY IN NEVADA**

The Nuclear Regulatory Commission is revising its regulations to add site-specific criteria for use in a possible licensing decision on a potential geologic repository at Yucca Mountain, Nevada, for the disposal of spent nuclear fuel and high-level radioactive waste. The Commission could be called upon to make a licensing decision on Yucca Mountain if the decision to proceed is made by the Department of Energy, the President, and the Congress.

The criteria will be contained in a new Part 63 of the Commission's regulations. The final revision conforms to the Environmental Protection Agency's (EPA) Yucca Mountain final standard that was issued on June 13.

A different part of the Commission's regulations, Part 60, issued in 1983, contains generic criteria for licensing the disposal of spent fuel and high-level radioactive waste in any geologic repository. The NRC is modifying that regulation to make clear that it no longer applies to a repository at Yucca Mountain and that only Part 63 applies at Yucca Mountain.

The changes reflect the Commission's overall philosophy of using risk-information in its regulations and respond to the Energy Policy Act of 1992, which directed the NRC to modify its technical requirements and criteria to be consistent with health and safety standards to be issued by EPA specifically for Yucca Mountain.

The new regulations specify that the repository system at Yucca Mountain must include both natural and engineered barriers to prevent and/or mitigate the release of radioactive material. They also address: licensing criteria; participation in license reviews by the State, affected local governments, and Indian Tribes; recordkeeping and reporting; monitoring and testing programs; performance confirmation; quality assurance; personnel training and certification; and emergency planning.

The regulations direct that, after high-level waste has been placed in the repository and the facility has been permanently closed, the repository system should ensure protection of the public in a manner consistent with the EPA standards. The standards provide that the engineered barrier system should be designed to work in combination with natural barriers so that, for 10,000 years following

disposal, the expected radiation dose to an individual would not exceed 15 millirems total effective dose equivalent per year. Consistent with EPA policy, a separate standard is also established for groundwater at 4 millirems per year to the whole body or any organ. (The average individual exposure from natural background radiation in the United States is approximately 300 millirems per year total effective dose equivalent.)

A proposed rule on this subject was issued for public comment on February 22, 1999. The NRC held public meetings to discuss the proposal in Las Vegas, Beatty, Amargosa Valley and Caliente, Nevada. Comments received at those meetings were considered along with written comments in developing the final rule. The final rule includes a response to the comments.

Although the Commission affirmed this final rule today, under the Paperwork Reduction Act, the information collection requirements contained in the rule must be submitted to the Office of Management and Budget (OMB). After OMB approval is obtained -- a process that will take at least 30 days-- the Commission will publish the final rule in the Federal Register and the rule will become effective 30 days thereafter. Thus, the Commission expects that this rule will become effective towards the end of the calendar year.

The Commission paper on the rule (SECY-01-0127) and the voting record on the paper will be available shortly at: [www.nrc.gov](http://www.nrc.gov) on NRC's web page.

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