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DOCKET NUMBER
PROPOSED RULE PR 2, 19, 20 et al.
(64FR8640)

Secretary, U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
attn. Rulemakings and Adjudications Staff

ATTN: ANDREA BYRO

Dear Sirs:

Following are the comments of the Citizens Action Coalition of Indiana in regard to the NRC Proposed Repository Licensing Rule for Yucca Mountain:

The NRC's proposed rule should be withdrawn until such time as EPA promulgates its standards for a permanent storage facility for high-level radioactive waste. Given EPA's mandate to protect public health, it is imperative that any NRC licensing rule for a permanent storage site be based, above all, on protecting public health, rather than being a merely "technical" standard. Also, the NRC has no legal authority to usurp EPA's legally mandated jurisdiction, under the Energy Policy Act of 1992, to set radiation release, public health, and environmental protection standards for the proposed Yucca Mountain repository.

Nevadans living near the proposed Yucca Mountain repository should be at least as well protected from radioactive contamination of their water supply as other American citizens. Instead, the proposed NRC rule would set a lesser standard of protection for Yucca Mountain releases. Given the already existing multiple exposures to which local Nevadans are subjected from the Nevada Test Site and the Beatty low level radioactive waste dump, the protection standard for Yucca Mountain should be more, rather than less, stringent.

The NRC proposed rule does not take into account the geological time frame for the site, and therefore would not assure adequate protection for future generations who would be exposed to radionuclide releases from Yucca Mountain. Given that radioactive releases will increase over time, once again, the initial protection standard should be more, rather than less, stringent.

There have been inadequate studies on the effect that the heat and radiation from tens of thousands of tons of high-level radioactive waste over tens of thousands of years would have on the

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surrounding rock in the repository emplacement area, yet the proposed rule does not limit the thermal energy output per unit area.

The NRC proposed rule underestimates the potential dangers associated with future human intrusions over hundreds or thousands of years which could breach the proposed repository at Yucca Mountain.

The NRC proposed rule would weaken or undo the requirement that DOE systematically record its decisions that significantly concern safety, how those decisions were made, and what factors influenced them. Given the grave consequences of radiation leakage from a repository, systematic accountability on scientific and engineering decisions related to safety must be upheld.

For further inquiries regarding the Citizens Action Coalition's position regarding the proposed NRC rule, please contact Chris Williams, Executive Director, in our Indianapolis offices located at 5420 N. College Ave., Suite 100, Indianapolis, IN 46220.

Sincerely,

Roger Voelker,
Citizens Action Coalition of Indiana

cc Chris Williams