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PROPOSED RULE **PR 2, 19, 20 et al**  
**(64FR8640)**

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These comments are regarding the following proposed rule for:

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"Disposal of High-Level Radioactive Wastes at a Proposed Geological Repository at Yucca Mountain, Nevada"

OFFICE OF THE  
ADMINISTRATIVE  
ADJUTANT GENERAL

This proposed rule by the NRC will weaken radiation protection standards for the public and the environment by usurping EPA's legally mandated jurisdiction to set the standards for the proposed Yucca Mountain repository (jurisdiction mandated is under the Energy Policy Act of 1992).

In the first place, you, the NRC, has no legal authority to take away EPA's legally mandated jurisdiction.

Also, this proposed rule does not assure adequate protection for the future generations of people who will be exposed to radionuclide releases from the proposed site.

This proposed rule does not take into account the fact that Yucca Mountain's rock may not be capable of containing high levels of thermal heat and radioactivity and by not limiting the thermal energy output of high-level radioactive waste per unit area of the emplacement area, the NRC is setting up a major safety shortcoming.

This proposed rule does not give enough study to the potential dangers associated with future, unpredictable human intrusions over the next several centuries which could breach the proposed repository at Yucca Mountain AND due to the tremendous uncertainty associated with the proposed repository at Yucca Mountain, radiation protection standards for the public health and the environment should be MORE stringent, rather than the less stringent standards NRC puts forth in this proposed rule!

This proposed rule, which would take away the rights of the people of Nevada to have the most protection from radioactive contamination of their water supply.. it proposes a lesser standard of protection for the citizens of Nevada than it does for the citizens of New Mexico living near WIPP. WHY? The citizens of Nevada are surrounded by other sites that will be exposing them... why would the NRC allow less, rather than MORE protection? Yucca's worst doses of radioactivity to nearby citizens will come from groundwater contamination, thus the water quality MUST be protected to the fullest extent of the law... which is something this rule does NOT do. Do the Nevadans deserve less??? I don't think so.

The accountability on scientific and engineering decisions related to safety MUST be upheld..

The NRC's proposed rule should be withdrawn, until EPA promulgates the standards, at which time NRC can then change its repository licensing rule to meet the EPA standards, AS REQUIRED BY LAW!

I urge you to withdraw this proposed rule, and to do what the law requires, which is allow EPA to set the standards and you follow from that. It is wrong to put the people of Nevada into any more danger than they have been over the last 50 years and it is time to stop using our citizens of Nevada and this country as guinea pigs!

Sincerely Concerned,

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Acknowledged by card

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SECY-02

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