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May 26, 1999

Secretary
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555-0001

DOCKET NUMBER
PROPOSED RULE **PR** *2,19,20 et al.*
(64FR 8640)

Attention: Rulemakings and Adjudications Staff

Subject: Comments on Proposed 10 CFR Part 63 Rulemaking

CNRO-99/00017

Ladies and Gentlemen:

Entergy Operations, Inc. (EOI) is pleased to submit comments to the Nuclear Regulatory Commission (NRC) on the proposed 10 CFR Part 63 Rulemaking, **Disposal of High-Level Radioactive Wastes in a Proposed Geologic Repository at Yucca Mountain, Nevada**, 64 Federal Register 8,640 (February 22, 1999). EOI operates five nuclear power generating units in Arkansas, Louisiana, and Mississippi.

EOI endorses the comments being provided by the Nuclear Energy Institute (NEI) on the proposed rule. EOI also makes the following specific comments:

- NRC should continue to move forward with 10 CFR Part 63 at this time in order to support a timely licensing process.
- We recommend that the NRC adopt a less formal legislative-style hearing process for the repository licensing.
- EOI endorses the risk-based standard proposed by NRC that specifies the use of probabilistic calculations to demonstrate compliance with dose criteria.
- EOI endorses the concept that total system performance should provide the basis for evaluating the suitability of Yucca Mountain for development of the spent commercial fuel and high-level waste repository. Elimination of Yucca Mountain subsystem criteria is appropriate.

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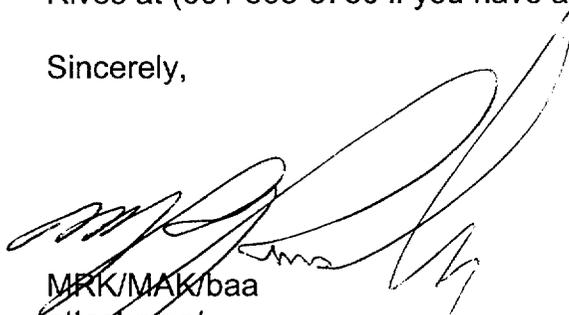
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EOI endorses a number of specific improvements suggested by NEI regarding the proposed rule's specified biosphere and receptor characteristics, multistage licensing process, and post repository closure "expected annual dose" performance objective.

- EOI endorses NEI's recommendations for changes in the performance objective for human intrusion, the specified requirements for performance confirmation, and the required compliance period.
- EOI endorses NEI's recommendations for specific clarifying language regarding construction records, tests, consideration of design alternatives in performance assessment, and conditions of license.

EOI appreciates the opportunity to provide these comments. Please contact Frank Rives at (601 368-5750 if you have any questions.

Sincerely,



MRK/MAK/baa
attachment
cc:

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