

DOCKET NUMBER

PROPOSED RULE

PR 2, 19, 20 et al  
(64FR8640)

DOCKET NO

USNRC

92 Troumaka Street  
Toms River, NJ 08757  
June 24, 1999

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Office of the Secretary  
U.S. Nuclear regulatory Commission

OFFICE OF THE SECRETARY  
U.S. NUCLEAR REGULATORY COMMISSION  
ADJUTANT GENERAL

RE: Proposed Rule: Disposal of High-Level Radioactive Wastes  
in a Proposed Geologic Repository at Yucca Mountain, Nevada

Dear Mr. Secretary:

The NRC's proposed rule is totally unacceptable from environmental, public health and legal perspectives. 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 standards for the proposed Yucca Mountain repository. These proposals should be withdrawn, until EPA promulgates standards, at which time the NRC can then modify its repository licensing rule to meet the EPA standards, as required by law.

The NRC rule fails to adequately protect Nevadans living near the proposed Yucca Mountain repository from radioactive contamination of their water supply. It also fails to assure adequate protection for future generations of people who would be exposed to radionuclide releases from the proposed repository.

Yucca Mountain's rock may not be capable of containing such high levels of thermal heat and radioactivity. This proposed rule does not limit the thermal output of high-level radioactive waste per unit area of the repository emplacement area, which is a critical design and safety shortcoming.

This NRC proposed rule seriously underestimates the potential dangers associated with future, unpredictable human intrusions over the next several centuries or millennia which could breach the proposed repository at Yucca Mountain.

The NRC rule would also 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.

Sincerely,

Joyce Kuschwara

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Acknowledged by card

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SECY-02