

February 21, 2003

Egan & Associates, PLLC
Suite 600
7918 Jones Branch Drive
McLean, VA 22102

Dear Mr. Joseph R. Egan

I am responding to the petition for rulemaking (PRM) dated July 12, 2002, that you submitted to the U.S. Nuclear Regulatory Commission (NRC) on behalf of the State of Nevada. Your petition, docketed as PRM- 63-1, requested that NRC amend 10 CFR Part 63, its regulations governing disposal of high-level radioactive wastes in a proposed geologic repository at Yucca Mountain, Nevada.

NRC has considered the petition and your supporting rationale. For the reasons provided in the enclosed Federal Register notice, your petition is denied. In summary, the petition is being denied because NRC has determined that: (1) Part 63 is in full compliance with the Nuclear Waste Policy Act of 1982, as amended, and the Atomic Energy Act of 1954, as amended; and (2) the petition does not appear to present any significant new information or recommendations that the Commission has not already considered and it would be an unwise expenditure of resources to reconsider issues resolved in that rulemaking.

The Federal Register notice of denial of the petition is being transmitted to the Office of the Federal Register, for publication.

Sincerely,

/RA/

Annette Vietti-Cook
Secretary of the Commission

Enclosure: Federal Register Notice
of Denial

cc: Robert R. Loux, Executive Director
Agency for Nuclear Projects
1802 N. Carson Street
Carson City, NV 89701