

**Nuclear Regulatory Commission**

**Notice of Withdrawal of the Final Rulemaking for the Clarification of the Assessment Requirements for the Siting Criteria and Performance Objectives in 10 CFR Part 60**

**AGENCY:** Nuclear Regulatory Commission

**ACTION:** Notice of Withdrawal of Final Rulemaking

**FOR FURTHER INFORMATION CONTACT:** Janet P. Kotra, Performance Assessment and High-Level Waste Integration Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, 11545 Rockville Pike, Rockville, Maryland 20852-2738. Telephone 301/415-6674. E-mail JPK@NRC.GOV.

**SUPPLEMENTARY INFORMATION:** Existing NRC regulations at 10 CFR Part 60, initially issued in 1983, contain generic criteria governing the disposal of high-level radioactive wastes in a geologic repository. In a *Federal Register* notice, dated June 9, 1993 (58 FR 36902), the NRC published, for public comment, proposed amendments intended to clarify certain regulatory uncertainties in those regulations related to the investigation and evaluation of potentially adverse conditions at potential repository sites. The public comment period ended on October 7, 1993.

In anticipation of the results of a National Academy of Science (NAS) study undertaken in response to the Comprehensive Energy Policy Act of 1992 (EnPA), as well as Congressional activity with respect to the Nuclear Waste Policy Act of 1982, as amended, the Commission decided not to issue the final rule and directed the staff (in a Staff Requirements Memorandum (SRM), dated June 30, 1995) to withdraw the rulemaking and reconsider the need for it when the legislative environment had stabilized. The purpose of this *Federal Register* notice therefore is to announce the NRC's withdrawal of this rulemaking.

At present, the staff has proposed and is implementing a strategy for developing site-specific disposal regulations that would apply solely to the proposed geologic repository at Yucca Mountain, Nevada, and is deferring the updating of Part 60 generic requirements to a later date. These site-specific regulations will be promulgated consistent with EnPA, which also requires the

Environmental Protection Agency to issue radiation standards for a geologic repository at Yucca Mountain, based on and consistent with the 1995 findings and recommendations of the NAS.

The staff's strategy for developing the site-specific disposal regulations for Yucca Mountain can be found in a Commission Paper, designated SECY-97-300, that is dated December 24, 1997. This strategy was approved by the Commission in an SRM dated March 6, 1998. The Commission Paper, the SRM, and associated documents are available for public inspection and/or copying at the NRC Public Document Room located at 2120 L Street (lower level), NW, Washington, D.C., 20012-7082. Telephone 202/512-2249.

Dated at Rockville, Maryland, this 12<sup>th</sup> day of June 1998.

FOR THE NUCLEAR REGULATORY COMMISSION



Michael J. Bell, Acting Chief  
Performance Assessment and High-Level Waste  
Integration Branch  
Division of Waste Management  
Office of Nuclear Material Safety and Safeguards