

**From:** Frank Cardile - *FSME*  
**To:** Timothy McCartin - *NMSS*  
**Date:** 04/03/2007 2:42:55 PM  
**Subject:** Fwd: Re: WITS 200500313

Tim - I can respond - is the following satisfactory for me to respond with?

The information provided in the email previously sent on 1/18/07 is still accurate with regard to this WITS item and completion of this task, i.e., issuance of a final amendment to 10 CFR Part 63 for the Yucca Mountain site. Specifically, because NRC's final rule amendment for Part 63 is dependent upon issuance of a final EPA standard, which is still in the OMB review process, it is difficult to set a firm date for completion of NRC's actions.

The final NRC rule will need to follow quickly EPA's issuance of a final standard when it is issued. To put NRC in a position to issue its final rule expeditiously, the staff is currently preparing the rule package with the intent of completing responses to public comments and having a draft FRN with the final rule in May 2007. However, until the EPA provides an indication of when they intend to publish a final standard, these are only interim internal dates and we cannot provide a final date for this item. We will re-visit in this item in May or June (or sooner if EPA provides further information) and provide a firmer update for this WITS item

>>> Timothy McCartin 04/02/2007 3:51 PM >>>

do you want me to send an email to someone or will you? the answer is until EPA provides an indication of when they intend to publish a final standard we cannot provide a date for this item - we can re-visit in June (sooner if we learn something from EPA)

>>> Frank Cardile 04/02/2007 3:20 PM >>>

Tim - note attached - probably give same information as last time

**CC:** Kevin Hsueh - *FSME*

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