

**From:** Frank Cardile — All FSME  
**To:** James Luehman; Kevin Hsueh  
**Date:** 04/03/2007 3:25:16 PM  
**Subject:** Fwd: Re: WITS 200500313

I spoke with Tim McCartin regarding the status of this item. The following would be our updated reply to Barbara Fleming and to OEDO:

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 a draft rule package, including responses to public comments and a draft FRN. However, until the EPA provides an indication of when they intend to publish a final standard, 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

<sup>LS</sup>  
>>> James Luehman 04/02/2007 3:04 PM >>>  
We need to get back to OEDO on this.

Jim

>>> Barbara Fleming 04/02/2007 2:59 PM >>>

Jim:

Re: WITS 200500313, "Final Rulemaking to Amend 10 CFR Part 63, "Implementation of a Dose Standard After 10,000 Years."

No ticket has been assigned to this WITS number because there is no date for action. According to Patty Tressler, staff was going to "revisit [the issue] the end of March and provide either another update or a due date." Could you have appropriate staff look into this and get back to me with a status, please?  
Thanks for your help.

Barbara

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**CC:** Timothy McCartin — NMSS

A/5