

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: COMMISSIONER DIAZ

SUBJECT: **SECY-99-234 - REQUEST FOR EXTENSION OF MILESTONE FOR FINAL RULEMAKING PACKAGE ON 10 CFR PART 63 (DISPOSAL OF HIGH-LEVEL WASTE AT YUCCA MOUNTAIN, NEVADA)**

Approved X in part Disapproved X in part Abstain \_\_\_\_\_  
*(handwritten marks)*

Not Participating \_\_\_\_\_

COMMENTS:

I appreciate the staff's effort to keep the Commission informed of the progress of developing Part 63. However, I disapprove the four month extension proposed in SECY-99-234, and recommend that the Commission grant a two month extension, to January 31, 2000. I grant the two month extension to ensure that the ACNW has an opportunity to consider the final rule before it is sent to the Commission.

In approving the initiation of this rulemaking, the Commission placed a priority on ensuring that this agency fulfills its statutory responsibilities in the Nation's high level waste (HLW) program. A two month extension will allow the staff time to finalize the rule and to address the comments, yet still maintain the momentum of the Part 63 development effort. Completing the final rule in the near term will fulfill the Commission's original intent in approving Part 63's development, and will position the agency to better focus on its next steps in the HLW program.

*(Handwritten Signature)*  
 \_\_\_\_\_  
 SIGNATURE

10/ 1 /99  
 \_\_\_\_\_  
 DATE

Entered on "AS" Yes X No \_\_\_\_\_

9910220107 991019  
 PDR COMMS NRCC  
 CORRESPONDENCE PDR

9910220107