

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary  
FROM: COMMISSIONER MCGAFFIGAN  
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  Disapproved \_\_\_\_\_ Abstain \_\_\_\_\_

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

COMMENTS: *See attached comments.*

*Edward M. Gaffigan Jr.*

SIGNATURE

*October 7, 1999*

DATE

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

9910220110 991019  
PDR COMMS NRCC  
CORRESPONDENCE PDR

9910220110

**Commissioner McGaffigan's Comments on SECY-99-234**

I reluctantly approve the proposed milestone extension for submittal of the final 10 CFR Part 63 rulemaking package to the Commission from November 30, 1999 to March 31, 2000. I do not support any further extensions to the Part 63 rulemaking schedule since its completion is extremely important to the national high-level radioactive waste management program. I recognize that there are competing NRC resources for attending meetings, reviewing and commenting on the Department of Energy's (DOE) Draft Environmental Impact Statement for Yucca Mountain and DOE's Draft Yucca Mountain siting guidelines (10 CFR 963), and developing NRC's Yucca Mountain Review Plan. However, the staff's highest priorities over the next few months should be finalization of Part 63 and review of and comment on the Environmental Protection Agency's proposed rule for Yucca Mountain (40 CFR 197) including attending EPA-sponsored public meetings on its rule. I support the staff's plan to meet with the NRC's Advisory Committee on Nuclear Waste in November 1999, and DOE and other stakeholders to solicit input on these issues. These efforts should not however cause further delay in the Part 63 schedule since such delays could negatively impact DOE's schedule for preparing the Yucca Mountain license application.

