

Gram and Dunn
1420 5th Street, 33 Floor
Seattle, Washington 98101-2390

Dear Mr. R. Corbin Houchins:

I am responding to the petition for rulemaking, dated January 21, 1985, and subsequently amended on September 30, 1985, that was submitted to the U.S. Nuclear Regulatory Commission (NRC) on behalf of the States of Nevada and Minnesota. The petition and its amendment were docketed as PRM-60-2 and PRM-60-2A, respectively, and requested that the NRC amend its regulations dealing with the disposal of high-level radioactive waste (HLW).

The notice of receipt of the petition, and its amendment, were published, respectively, in the Federal Register on April 30, 1985 (50 FR 18267), and on December 19, 1985 (50 FR 51701). The comment periods closed on July 1, 1985, for PRM-60-2, and February 18, 1986, for PRM-60-2A. The NRC received eight comment letters on the petition and the amendment from seven commenters (one commenter providing comments on both PRM-60-2 and 60-2A). The amended petition was placed on hold pending development of new U.S. Environmental Protection Agency and NRC disposal standards applicable only to a site at Yucca Mountain, Nevada, as directed in the Energy Policy Act of 1992, Public Law 102-486.

The NRC has recently promulgated regulations, in a new 10 CFR Part 63, for the disposal of HLW at Yucca Mountain (66 FR 55732; November 2, 2001). During the development of Part 63, the NRC considered the substantive issues raised by the petitioners. However, the Commission decided not to revise, at this time, the generic regulations dealing with disposal of HLW in 10 CFR Part 60, which is the subject of the amended petition. Therefore, for these reasons, and as discussed in more detail in the enclosed Federal Register notice, your petition is denied. As you requested, also enclosed are copies of the petition and amendment.

R. Corbin Houchins

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The Federal Register notice denying the petition is being transmitted to the Office of the Federal Register for publication.

Sincerely,

Annette Vietti-Cook
Secretary of the Commission

Enclosures:

1. Federal Register notice
2. PRM-60-2
3. PRM-60-2A

cc: Frankie Sue Del Papa,
Attorney General, State of Nevada
100 North Carson St.
Carson City, Nevada 89701

Mike Hatch,
Attorney General, State of Minnesota
102 State Capitol
St. Paul, Minnesota 55155

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cc: Frankie Sue Del Papa,
Attorney General, State of Nevada
100 North Carson St.
Carson City, Nevada 89701

Mike Hatch,
Attorney General, State of Minnesota
102 State Capitol
St. Paul, Minnesota 55155

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