

DOCKET NUMBER
PROPOSED RULE **PR 63**
(70FR 5313)

**BLUE RIDGE ENVIRONMENTAL DEFENSE LEAGUE • COMMITTEE TO BRIDGE THE
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INFORMATION AND RESOURCE SERVICE • PHYSICIANS FOR SOCIAL RESPONSIBILITY •
PUBLIC CITIZEN • SIERRA CLUB • U.S. PUBLIC INTEREST RESEARCH GROUP • WOMEN'S
ACTION FOR NEW DIRECTIONS**

**DOCKETED
USNRC**

September 30, 2005

October 3, 2005 (12:27pm)

Annette L. Vietti-Cook
Secretary, U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

**OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF**

**Re: Proposed Implementation of EPA's Revised Yucca Mountain Radiation Protection
Standard**

Dear Ms. Vietti-Cook:

As environmental, public health and consumer organizations representing members of the public, we are writing regarding NRC's Federal Register Notice on September 8, 2005. The Notice describes the methods for submission of public comment on Implementation of a Dose Standard After 10,000 Years (10 CFR Part 63). We are concerned that the comment period deadline – November 7, 2005 – does not provide sufficient time for members of the public to consider the proposal and provide comment. In fact, EPA recently extended its comment period, so the NRC's deadline now ends before the comment period on the underlying EPA proposal.

In addition to voiding portions of EPA's radiation standard, the DC Court of Appeals "vacate[d] NRC's identical standard in part 63 for reconsideration *once EPA reviews its standard.*" In our opinion, and certainly the understanding of the public we represent, the court order means that, NRC should propose an amendment to 10 CFR Part 63 to comply with EPA's standard once EPA has *finalized* a new standard.

Instead, NRC's proposal is being submitted for public comment at the same time as EPA's draft standard. Having both proposals in public comment periods at the same time is confusing and unmanageable, particularly for concerned citizens who are not completely familiar with the scientific issues and policy matters included in one or both of the proposals. Moreover, by releasing its draft before EPA's rule is final, NRC appears to believe that the draft EPA standard will become the final rule – meaning that public comment will have no effect on the rule.

We request that the deadline for comments be extended to 180 days in order to allow full public participation in this process. Please contact Michele Boyd at Public Citizen (202 454-5134 or mboyd@citizen.org) with any responses to this letter or with any questions.

Sincerely,

Louis Zeller
Administrator, Organizer
Blue Ridge Environmental Defense League

Daniel Hirsch
President
Committee to Bridge the Gap

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SECY-02

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From: "Melissa Kemp" <mkemp@citizen.org>
To: <SECY@nrc.gov>
Date: Fri, Sep 30, 2005 9:12 AM
Subject: Letter Concerning Proposed Implementation of EPAs Revised Yucca Standard

The letter is attached. A copy was also faxed to the Secretary's Office at 9am this morning. Thanks for your prompt attention to this matter,

Melissa

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Subject: Letter Concerning Proposed Implementation of EPAs Revised Yucca Standard
Creation Date: Fri, Sep 30, 2005 9:10 AM
From: "Melissa Kemp" <mkemp@citizen.org>
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