

The NRC's Role at Yucca Mountain:

Judging the Safety of a Proposed Repository



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NRC's Role on Yucca Mountain

- Make an independent regulatory decision whether or not to license a Yucca Mountain repository
- Primary mission is to protect public health and safety and the environment

NRC's Process for the Decision

- NRC will make its decision on Yucca Mountain in two steps:
 - Decide whether or not to authorize construction; and if so,
 - When construction is substantially complete, decide whether or not to license receipt of HLW

NRC's Construction Authorization Decision Step

- The construction authorization step includes:
 - Issue regulations for making a decision on a construction authorization
 - Conduct pre-application activities
 - If there's an application, make a decision on construction authorization in three years
 - Keep the State and Affected Units of Local Government informed

NRC's Regulations for a Construction Authorization Decision

- The ongoing rulemaking by the Environmental Protection Agency will require NRC to change its regulations

NRC's Pre-Application Activities

- Monitor DOE activities on Yucca Mountain
- Encourage a “high quality” license application
 - Ask questions
 - Become informed
 - Identify issues

NRC's Construction Authorization Decision

- Receive, docket (if appropriate), evaluate and document safety findings on the application
- Comply with NEPA by adopting DOE's FEIS, if practicable
- Hold a formal hearing under well-established rules
- Make a decision based on all the information

NRC's Expertise to Evaluate and Document Safety

- Experienced NRC technical staff
- Independent contractor, Center for Nuclear Waste Regulatory Analyses (CNWRA)
 - Technical assistance/Research support
- Facilities
 - Laboratories for independent investigations
 - Modeling and computing facilities
- Field studies and inspections
- On-site Representatives

NRC's Actions to Keep State and Affected Units Informed

- Provide information
- Seek public comment on proposed regulations and guidance
- Conduct a public hearing (as discussed)

Possible Outcomes Of NRC's Licensing Process:

- Deny the Application
- Grant a Construction Authorization with Conditions
- Grant a Construction Authorization

Summary

- Any NRC decision on a potential license application for a repository will:
 - be based on NRC staff's comprehensive, independent safety review
 - Include a full and fair public hearing that follows formal, well-established rules to ensure an open, objective decision