§ 63.312 Required characteristics of the reasonably maximally exposed individual.

The reasonably maximally exposed individual is a hypothetical person who meets the following criteria:

(a) Lives in the accessible environment above the highest concentration of radionuclides in the plume of contamination;

(b) Has a diet and living style representative of the people who now reside in the Town of Amargosa Valley, Nevada. DOE must use projections based upon surveys of the people residing in the Town of Amargosa Valley, Nevada, to determine their current diets and living styles and use the mean values of these factors in the assessments conducted for §§63.311 and 63.321;

(c) Uses well water with average concentrations of radionuclides based on an annual water demand of 3000 acre-feet;

(d) Drinks 2 liters of water per day from wells drilled into the ground water at the location specified in paragraph (a) of this section; and

(e) Is an adult with metabolic and physiological considerations consistent with present knowledge of adults.

§ 63.321 Individual protection standard for human intrusion.

(a) DOE must determine the earliest time after disposal that the waste package would degrade sufficiently that a human intrusion (see § 63.322) could occur without recognition by the drillers.

(b) DOE must demonstrate that there is a reasonable expectation that the reasonably maximally exposed individual receives, as a result of the human intrusion, no more than the following annual dose:

1. 0.15 mSv (15 mrem) for 10,000 years following disposal; and
2. 1.0 mSv (100 mrem) after 10,000 years, but within the period of geologic stability.

(c) DOE’s analysis must include all potential environmental pathways of radionuclide transport and exposure, subject to the requirements of § 63.322.

(74 FR 10829, Mar. 13, 2009)

§ 63.322 Human intrusion scenario.

For the purposes of the analysis of human intrusion, DOE must make the following assumptions:

(a) There is a single human intrusion as a result of exploratory drilling for ground water;

(b) The intruders drill a borehole directly through a degraded waste package into the uppermost aquifer underlying the Yucca Mountain repository;

(c) The drillers use the common techniques and practices that are currently employed in exploratory drilling for ground water in the region surrounding Yucca Mountain;

(d) Careful sealing of the borehole does not occur, instead natural degradation processes gradually modify the borehole;

(e) No particulate waste material falls into the borehole;

(f) The exposure scenario includes only those radionuclides transported to the saturated zone by water (e.g., water enters the waste package, releases radionuclides, and transports radionuclides by way of the borehole to the saturated zone); and

(g) No releases are included which are caused by unlikely natural processes and events.

§ 63.331 Separate standards for protection of ground water.

DOE must demonstrate that there is a reasonable expectation that, for 10,000 years of undisturbed performance after disposal, releases of radionuclides from waste in the Yucca Mountain disposal system into the accessible environment will not cause the level of radioactivity in the representative volume of ground water to exceed the limits in the following Table 1:

<table>
<thead>
<tr>
<th>Radionuclide or type of radiation emitted</th>
<th>Limit</th>
<th>Is natural background included?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Combined radium-226 and radium-228</td>
<td>5 picocuries per liter</td>
<td>Yes.</td>
</tr>
</tbody>
</table>
### Table 1—Limits on Radionuclides in the Representative Volume—Continued

<table>
<thead>
<tr>
<th>Radionuclide or type of radiation emitted</th>
<th>Limit</th>
<th>Is natural background included?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross alpha activity (including radium-226 but excluding radon and uranium).</td>
<td>15 picocuries per liter</td>
<td>Yes.</td>
</tr>
<tr>
<td>Combined beta and photon emitting radionuclides</td>
<td>0.04 mSv (4 mrem) per year to the whole body or any organ, based on drinking 2 liters of water per day from the representative volume.</td>
<td>No.</td>
</tr>
</tbody>
</table>

### §63.332 Representative volume.

(a) The representative volume is the volume of ground water that would be withdrawn annually from an aquifer containing less than 10,000 milligrams of total dissolved solids per liter of water to supply a given water demand. DOE must project the concentration of radionuclides released from the Yucca Mountain disposal system that will be in the representative volume. DOE must use the projected concentrations to demonstrate a reasonable expectation that the Yucca Mountain disposal system complies with §63.331. The DOE must make the following assumptions concerning the representative volume:

1. It includes the highest concentration level in the plume of contamination in the accessible environment;
2. Its position and dimensions in the aquifer are determined using average hydrologic characteristics which have cautious, but reasonable, values representative of the aquifers along the radionuclide migration path from the Yucca Mountain repository to the accessible environment as determined by site characterization; and
3. It contains 3,000 acre-feet of water (about 3,714,450,000 liters or 977,486,000 gallons).

(b) DOE must use one of two alternative methods for determining the dimensions of the representative volume. The DOE must propose its chosen method, and any underlying assumptions, to NRC for approval.

1. DOE may calculate the dimensions as a well-capture zone. If DOE uses this approach, it must assume that:
   1. Water supply well(s) has (have) characteristics consistent with public water supply wells in the Town of Amargosa Valley, Nevada, for example, well-bore size and length of the screened intervals;
   2. Screened interval(s) include(s) the highest concentration in the plume of contamination in the accessible environment; and
   3. Pumping rates and the placement of the well(s) must be set to produce an annual withdrawal equal to the representative volume and to tap the highest concentration within the plume of contamination.
2. DOE may calculate the dimensions as a slice of the plume. If DOE uses this approach, it must:
   1. Propose, for approval, where the location of the edge of the plume of contamination occurs. For example, the place where the concentration of radionuclides reaches 0.1% of the level of the highest concentration in the accessible environment;
   2. Assume that the slice of the plume is perpendicular to the prevalent direction of flow of the aquifer; and
   3. Assume that the volume of ground water contained within the slice of the plume equals the representative volume.

### Additional Provisions

### §63.342 Limits on performance assessments.

(a) DOE’s performance assessments conducted to show compliance with §§63.311(a)(1), 63.321(b)(1), and 63.331 shall not include consideration of very unlikely features, events, or processes, i.e., those that are estimated to have less than one chance in 100,000,000 per year of occurring. In addition, DOE’s performance assessments need not evaluate the impacts resulting from any features, events, and processes or sequences of events and processes with a higher chance of occurring if the results of the performance assessments would not be changed significantly in the initial 10,000-year period after disposal.