

DOCKET NUMBER

PROPOSED RULE

R1 72  
(70 FR 09504)*New England Coalition*VT NH ME MA RI CT NY  
POST OFFICE BOX 545, BRATTLEBORO, VERMONT 05302*on Nuclear Pollution*

March 30, 2005

By FAX [301-415-1101] and E-Mail [SCY@nrc.gov]

DOCKETED  
USNRCSecretary  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

March 30, 2005 (3:30pm)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

ATTN: Rulemakings and Adjudications Staff

Re: RIN 3150-AH64 – Amendment No.2 to Certificate of Compliance Number (CoC No.) 1014, Holtec International Hi-Storm 100 cask

Dear Secretary and Staff,

Comments on the proposed direct final rule captioned above are due today, March 30, 2005. New England Coalition, a non-profit environmental advocacy organization incorporated in the State of Vermont, respectfully requests that NRC extend the time for comment until April 30 for the following reasons:

1. New England Coalition wishes to defend its interests by filing comments in the above captioned agency action: Direct final rule.
2. Comments will only stay the effective date of the rule if the comments, under NRC rules, meet certain stringent standards of significance and substance such that the comments cause the NRC staff to reevaluate (or reconsider) its position or conduct additional analysis; raise an issue that requires clarification of the record, and/or raise a relevant issue that was not previously addressed by the Staff.
3. The time allowed for comment, from Notice in the Federal Register on February 28, 2005 to the end of the comment period, is inadequate to prepare adverse comments that are both substantive and significant because:
  - The proposed amendment (rule) contains numerous changes to the design, and material of the system, including to the materials used in construction, changes to the types of fuel that can be loaded, changes to shielding and confinement methodologies and assumptions, revisions to various temperature limits, changes in allowable fuel enrichments, and more.
  - Documentation accompanying the CoC Amendment application is voluminous, highly technical, and highly detailed; such that it requires 100's of man-hours for adequate review.
  - During the period from the final Amendment Application filing (December 3, 2004) through Federal Register notice of the Agency Action on February 28, 2005, access to documents on relevant issues and technical background

Template = SECY-067

SECY-02

information on ADAMS (the Agency archives) was impossible as the system was unavailable for public use.

New England Coalition's members and constituency have a vital interest in obtaining assurance that Holtec Hi-storm 100 casks will be both safe and durable so as to provide adequate protection of the public health and safety in both the near and long term. This interest stems from the fact that Entergy Nuclear Operations, Inc., has announced its intentions to deploy the Holtec Hi-Storm 100 at its nuclear power plant site in New England.

However, the threshold for public participation in the direct final rule process via comments is simply insurmountable given the constraints outlined above. Therefore, New England Coalition reaffirms its request (above) that NRC, so as to provide a more meaningful opportunity for public participation, extend the comment period in the above captioned matter until April 30, 2005.

Thank you for your kind attention to this request.

Raymond Shadis  
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New England Coalition  
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