

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

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**PAPER NUMBER:** LTR-07-0181 **LOGGING DATE:** 03/15/2007  
**ACTION OFFICE:** SECY

**AUTHOR:** REP Michael Costello  
**AFFILIATION:** MA-SH  
**ADDRESSEE:** NRC Secretary  
**SUBJECT:** Provides support for PRM-51-10 Support the Massachusetts Attorney General's Petition for Rulemaking - Spent Fuel

**ACTION:** Direct Reply  
**DISTRIBUTION:** RF

**LETTER DATE:** 03/13/2007  
**ACKNOWLEDGED:** No  
**SPECIAL HANDLING:** Immediate release to the public via SECY/DPC  
**NOTES:** Place on Rulemaking Docket  
**FILE LOCATION:** ADAMS

**DATE DUE:** **DATE SIGNED:**



THE COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS HOUSE OF REPRESENTATIVES  
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GOVERNMENT

March 13, 2007

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

Attn: Rulemakings and Adjudications Staff.  
E-mail comments to: SECY@nrc.gov.

RE: Docket No. PRM-51-10 - Support the Massachusetts Attorney General's  
Petition for Rulemaking- Spent Fuel

We support the Massachusetts Attorney General's Petition for Rulemaking. Specifically we support the Attorney General's conclusions that, the Nuclear Regulatory Commission should:

- (a) Consider new and significant information showing that the NRC's characterization of the environmental impacts of spent fuel storage as insignificant in the License Renewal GEIS is incorrect;
- (b) Revoke the regulations which codify that incorrect conclusion and excuse consideration of spent fuel storage impacts in NEPA decision-making documents;
- (c) Issue a generic determination that the environmental impacts of high-density pool storage of spent fuel are significant; and
- (d) Order that any NRC licensing decision that approves high-density pool storage of spent fuel at a nuclear power plant or any other facility must be accompanied by an EIS that addresses
  - (i) the environmental impacts of high-density pool storage of spent fuel at that nuclear plant and;

(ii) a reasonable array of alternatives for avoiding or mitigating those impacts.

We know that this rule change is important to better protect the Commonwealth's public health and safety and that new and significant information, e.g., the events of 9/11 and the President's statement that nuclear power plants are on terrorist's lists, has evolved since the rule was written.

Sincerely,

Representative Michael Costello, Chair  
Public Safety and Homeland Security  
1<sup>st</sup> Essex District

Matthew C. Patrick  
State Representative  
3<sup>rd</sup> Barnstable District

Harold P. Naughton, Jr., Vice Chair  
Public Safety and Homeland Security  
Twelfth Worcester District

Representative Peter Koutoujian, Chair  
Committee on Public Health  
10<sup>th</sup> Middlesex District

Senator Mark Montigny, Chair  
Bonding, Capital Expenditures & State Assets  
2<sup>nd</sup> Bristol & Plymouth District

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Committee on Public Health  
25<sup>th</sup> Middlesex District

Representative Frank Smizik, Chair  
Environment, Natural Resources & Agriculture  
15<sup>th</sup> Norfolk District

Senator Bruce Tarr  
Public Safety and Homeland Security  
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Senator Marc R. Pacheco, Chair  
Senate Committee on Post Audit and Oversight  
1<sup>st</sup> Plymouth and Bristol District

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Committee on Education  
Cape & Islands District

Representative Antonio Cabral, Chairman  
State Administration and Regulatory Oversight  
13<sup>th</sup> Bristol District

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16<sup>th</sup> Suffolk District

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**From:** "Patrick, Matthew - Rep. (HOU)" <Matthew.Patrick@state.ma.us>  
**To:** <SECY@nrc.gov.>  
**Date:** 03/15/2007 3:17:25 PM  
**Subject:** RE: Docket No. PRM-51-10 -

To Whom it may concern,

Please make sure that the Secretary of the Nuclear Regulatory Commission receives the attached letter from the Massachusetts Legislature.

Sincerely,

Rep. Matthew C. Patrick

**Mail Envelope Properties** (45F99BB7.9F2 : 15 : 18930)

**Subject:** RE: Docket No. PRM-51-10 -  
**Creation Date** 03/15/2007 3:12:55 PM  
**From:** "Patrick, Matthew - Rep. (HOU)" <Matthew.Patrick@state.ma.us>

**Created By:** Matthew.Patrick@state.ma.us

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