

PR 51
(73FR59547)
(73FR59551)



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OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO
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DIVISION OF SOCIAL JUSTICE
Environmental Protection Bureau

Writer Direct: (212) 416-8459

November 14, 2008

Secretary
United States Nuclear Regulatory Commission
Washington, DC 20555-0001
Attn: Rulemakings and Adjudications Staff
Sent Electronically and Via First Class Mail

Re: Waste Confidence Decision Update (10 CFR Part 51, Docket ID 2008-0482; 73 Fed. Reg. 59551 (Oct. 9, 2008); Consideration of Environmental Impacts of Temporary Storage of Spent Fuel After Cessation of Reactor Operation (10 CFR Part 51, RIN: 3150-AI47, NRC-2008-0404, 73 Fed. Reg. 59547 (Oct. 9, 2008))

Dear Secretary and Rulemakings and Adjudications Staff:

The State of New York requests that the Nuclear Regulatory Commission extend, by 90 days, the comment period for the two above-referenced rulemaking proceedings. These rulemakings, which are grounded in findings generated nearly thirty years ago in some instances, require extensive research which cannot be adequately performed in the time period offered by the original 60-day comment period.

The State of New York notes that historical documents relating to this rule, which has a history spanning three decades, are in large part unavailable on ADAMS. To submit well-informed comments, the State must review documents in various locations spanning nearly thirty years, the bulk of which appear to be unavailable publicly via ADAMS or microfiche. The State would benefit from additional time in which to research and confirm the State's history with the Waste Confidence Decision since 1979 and to prepare the well-developed and accurate comments these rulemakings deserve.

Thank you very much for your consideration of this request.

Respectfully submitted,

A handwritten signature in cursive script that reads "Janice A. Dean".

Janice A. Dean
Assistant Attorney General

Rulemaking Comments

From: Janice Dean [Janice.Dean@oag.state.ny.us]
Sent: Friday, November 14, 2008 1:22 PM
To: Rulemaking Comments
Subject: State of New York Extension of Time Request, Docket ID 2008-0482; RIN 3150-AI47
Attachments: State of New York ext of time request.pdf

To NRC Rulemakings and Adjudications Staff,

The State of New York submits the attached letter requesting an extension of time to file public comments on the Waste Confidence Decision Update and the Consideration of Environmental Impacts of Temporary Storage of Spent Fuel After Cessation of Reactor Operations. A hard copy will follow by mail as well.

Thank you for your consideration.

Janice Dean

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(148.184.200.145) with Microsoft SMTP Server id 8.1.291.1; Fri, 14 Nov 2008
13:21:45 -0500

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X-Mailer: Novell GroupWise Internet Agent 7.0.3

Date: Fri, 14 Nov 2008 13:21:36 -0500

From: Janice Dean <Janice.Dean@oag.state.ny.us>

To: <rulemaking.comments@nrc.gov>

Subject: State of New York Extension of Time Request, Docket ID
2008-0482; RIN 3150-AI47

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