PR 51 (73FR59547) (73FR59551)



DOCKETED USNRC

November 14, 2008 (3:08pm)

OFFICE OF SECRETARY RULEMAKINGS AND ADJUDICATIONS STAFF

STATE OF NEW YORK OFFICE OF THE ATTORNEY GENERAL

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The State of New York notes that historical documents relating to this rule, which has a history spanning three decades, are in large part unavailable on ADAMS.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.

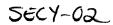
Thank you very much for your consideration of this request.

Respectfully submitted,

nice A. Dean

Janice A. Dean Assistant Attorney General

120 Broadway, 26th Fl. New York, N.Y. 10271-0332 • Phone (212) 416-8446 • Fax (212) 416-6007 Template = SECY-067



ANDREW M. CUOMO Attorney General

Rulemaking Comments

From:	Janice Dean [Janice.Dean@oag.state.ny.us]	
Sent:	Friday, November 14, 2008 1:22 PM	
То:	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

Janice A. Dean Assistant Attorney General Environmental Protection Bureau Office of the New York State Attorney General 120 Broadway, 26th Floor New York, NY 10271 (212) 416-8459 (voice) (212) 416-6007 (fax) janice.dean@oag.state.ny.us

Received: from mail1.nrc.gov (148.184.176.41) by TWMS01.nrc.gov (148.184.200.145) with Microsoft SMTP Server id 8.1.291.1; Fri, 14 Nov 2008 13:21:45 -0500 X-Ironport-ID: mail1 X-SBRS: 4.8 X-MID: 32792231 X-IronPort-Anti-Spam-Filtered: true X-IronPort-Anti-Spam-Result: AhsBALdAHEkMa5iTlGdsb2JhbACBdpFoAQEBAQkLCAkRszoJivKCWX4 X-IronPort-AV: E=Sophos;i="4.33,604,1220241600"; d="pdf'?scan'208";a="32792231" Received: from spam1.oag.state.ny.us ([12.107.152.147]) by mail1.nrc.gov with ESMTP; 14 Nov 2008 13:21:46 -0500 Received: from smtpgw2.oag.state.ny.us (alb-q3.oag.silvernet [172.16.100.57]) by spam1.oag.state.ny.us (8.13.8/8.13.8) with ESMTP id mAEILg43023554 for <rulemaking.comments@nrc.gov>; Fri, 14 Nov 2008 12:21:43 -0600 Received: from GATEWAY_B-MTA by smtpgw2.oag.state.ny.us with Novell_GroupWise; Fri, 14 Nov 2008 13:21:42 -0500 Message-ID: <491D7B5F.8DBB.0043.0@oag.state.ny.us> 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 MIME-Version: 1.0 Content-Type: multipart/mixed; boundary="= Part5D7504A0.0 =" X-MessageScreenMessageID: 1226686903.170465.1549.3683680263 X-MessageScreenContentScore: Score of 0 assigned to Content X-MessageScreenUCEScore: Score of 0 assigned to UCE X-MessageScreen: Analyzed by IntelliReach MessageScreen(tm)

Return-Path: Janice.Dean@oag.state.ny.us