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Protecting, maintaining and improving the health of all Minnesotans

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November 25, 2008 (4:15pm)

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

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Attention: Rulemakings and Adjudications Staff

Subject: Amendment to Code of Federal Regulations, Title 10, Part 51.22

The Minnesota Department of Health has reviewed the US Nuclear Regulatory Commission's proposed amendment to the Criteria for Categorical Exclusion: Identification of Licensing and Regulatory Actions Eligible for Categorical Exclusion or Otherwise Not Requiring Environmental Review. Based on that review, MDH wishes to make the following comments:

1. MDH concurs with the recommendation that the NRC periodically examine the categorical exclusion regulations to identify potential revisions that would eliminate unnecessary and costly environmental assessments. Maintaining up-to-date requirements is an essential aspect of any regulatory program.
2. MDH supports the concept that information from past actions be used to identify and modify or eliminate requirements that have no significant impact on humans or the environment.
3. Finally, MDH agrees that the proposed revisions of the categorical exclusion regulations would minimize inefficiencies and inconsistencies in the implementation of NRC's regulatory program.

If you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "John Linc Stine".

John Linc Stine, State Liaison Officer
Director, Environmental Health Division
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