

**AFFIRMATION ITEM**

**RESPONSE SHEET**

**TO:** Annette Vietti-Cook, Secretary

**FROM:** Chairman Jaczko

**SUBJECT:** SECY-09-0189 – FINAL RULE: 10 CFR 51.22,  
“CRITERION FOR CATEGORICAL EXCLUSION;  
IDENTIFICATION OF LICENSING AND REGULATORY  
ACTIONS ELIGIBLE FOR CATEGORICAL EXCLUSION  
OR OTHERWISE NOT REQUIRING ENVIRONMENTAL  
REVIEW” (RIN 3150-A127)

Approved  Disapproved  Abstain

Not Participating

COMMENTS: Below  Attached  None

I approve the staff's recommendation to publish, in the Federal Register, the final rulemaking for 10 CFR 51.22. The agency's reviews under the National Environmental Policy Act are an important part of our activities, and I commend the staff for the comprehensive review and update of the list of categorical exclusions in 10 CFR 51.22, consistent with the recommendation of the Council on Environmental Quality. The staff should continue to carefully consider the circumstances concerning the application of each categorical exclusion in order to determine whether, notwithstanding the inclusion of that general activity in 10 CFR 51.22, there could potentially be an effect on the human environment warranting the preparation of an Environmental Assessment or Environmental Impact Statement.

  
\_\_\_\_\_  
SIGNATURE

1/26/10  
\_\_\_\_\_  
DATE

Entered on "STARS" Yes  No