



# Western Interstate Energy Board/ WINB

DOCKETED  
USNRC

December 22, 2010 (10:20am)

December 21, 2010

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Alberta  
Arizona  
British Columbia  
California  
Colorado  
Montana  
Idaho  
Nebraska  
Nevada  
New Mexico  
Oregon  
Saskatchewan  
Utah  
Washington  
Wyoming

Attn.: Rulemakings and Adjudications Staff  
Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 2055-0001  
[Rulemaking.Comments@nrc.gov](mailto:Rulemaking.Comments@nrc.gov)  
(301) 415-1966

RE: Docket ID NRC-2009-0163 (Proposed Rule}  
Docket ID NRC-2010-0340 (Draft Guidance)

*Dianne Nielson*  
Chairman

*Douglas C. Larson*  
Executive Director

On behalf of the Western Interstate Energy Board (WIEB) High-Level Radioactive Waste Committee,<sup>1</sup> we are writing in response to the U.S. Nuclear Regulatory Commission's request for public comments on its proposed rule for "Physical Protection of Irradiated Reactor Fuel in Transit" (75 FR 62695, published October 13, 2010) and the related draft guidance (75 FR 67636, published November 3, 2010).

We respectfully request a 90-day extension of the deadline for commenting on the proposed rule (from January 11, 2011), and a corresponding deadline for commenting on the draft guidance, presented in NUREG-0561, Rev. 2.

The WIEB High-Level Waste Committee has conducted an initial review of the proposed rule and the draft guidance, including a conference call review with NRC staff on December 15. We appreciate the Commission's initiative to promulgate the rule, and its intention to pre-plan and coordinate spent nuclear fuel shipments with States and Local Law Enforcement Agencies. We also note and appreciate at least two instances in the proposed rule (pgs. 62698 and 62700) where NRC specifically invites public consideration and comment. The requested extension of the comment period will make it possible for us to conduct a more thorough review, assemble considered input from our members, and to submit

---

<sup>1</sup> The WIEB High Level Waste Committee consists of gubernatorial appointees from ten Western states (Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming).

Rulemaking and Adjudications staff  
December 21, 2010  
Page Two

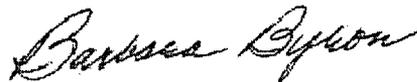
constructive comments on an important and complex topic.

Thank you for your consideration of this request.

Sincerely,



Ken Niles  
Committee Co-Chair  
High-Level Radioactive Waste



Barbara Byron  
Committee Co-Chair  
High-Level Radioactive Waste

## Rulemaking Comments

---

**From:** Sharon Irwin [sharon@westgov.org]  
**Sent:** Tuesday, December 21, 2010 6:29 PM  
**To:** Rulemaking Comments; Jim Williams  
**Cc:** Doug Larson  
**Subject:** request for extension of comment period  
**Attachments:** 12-21-10NRCitr.doc

Sent on behalf of Jim Williams and Doug Larson, Western Interstate Energy Board

Received: from mail1.nrc.gov (148.184.176.41) by OWMS01.nrc.gov  
(148.184.100.43) with Microsoft SMTP Server id 8.2.247.2; Tue, 21 Dec 2010  
18:29:38 -0500

X-Ironport-ID: mail1

X-SBRS: None

X-MID: 28490573

X-fn: 12-21-10NRCltr.doc

X-IronPort-Anti-Spam-Filtered: true

X-IronPort-Anti-Spam-Result: AmcFAArHEE1BLGFa/2dsb2JhbACCF6EhWXTBYIrgx4EhGU

X-IronPort-AV: E=Sophos;i="4.60,210,1291611600";

d="doc'32?scan'32,208,217,32";a="28490573"

Received: from ip65-44-97-90.z97-44-65.customer.algx.net (HELO

WGAMail.DOMAIN-WGA.westgov.org) ([65.44.97.90]) by mail1.nrc.gov with ESMTTP;

21 Dec 2010 18:29:37 -0500

Received: from WGAMAIL.DOMAIN-WGA.westgov.org ([fe80::15f8:4d47:3212:1637]) by

WGAMail.DOMAIN-WGA.westgov.org ([fe80::15f8:4d47:3212:1637%11]) with mapi;

Tue, 21 Dec 2010 16:28:40 -0700

From: Sharon Irwin <sharon@westgov.org>

To: "rulemaking.comments@nrc.gov" <rulemaking.comments@nrc.gov>, Jim Williams  
<jwilliams@westgov.org>

CC: Doug Larson <dlarson@westgov.org>

Date: Tue, 21 Dec 2010 16:28:38 -0700

Subject: request for extension of comment period

Thread-Topic: request for extension of comment period

Thread-Index: AcuhZsuyFXIKqZUJSK6E9H03kmXU7A==

Message-ID:

<7AE2CCAED8614E47AE7F9C3AAAD9041E14078F6769@WGAMail.DOMAIN-WGA.westgov  
.org>

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach: yes

X-MS-TNEF-Correlator:

acceptlanguage: en-US

Content-Type: multipart/mixed;

boundary="\_004\_7AE2CCAED8614E47AE7F9C3AAAD9041E14078F6769WGAMailDOMAIN\_

"

MIME-Version: 1.0

Return-Path: sharon@westgov.org