

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE PRESIDING OFFICER



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In the Matter :

of : PR-50, 51 (44 F.R. 61372)

Proposed Rulemaking on Storage :
and Disposal of Nuclear Waste, :
10 CFR Parts 50 and 51 :
(Waste Confidence Rulemaking)

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MOTION BY ROBERT ABRAMS, ATTORNEY GENERAL
OF THE STATE OF NEW YORK, TO STRIKE A
PORTION OF THE FILING BY SCIENTISTS AND
ENGINEERS FOR SECURE ENERGY DATED
OCTOBER 6, 1980

NOV 7 1980
RECEIVED
OFFICE OF THE SECRETARY
DOCUMENT A SERVICE

On October 6, 1980 Messrs. LeBoeuf, Lamb, Leiby and MacRae, on behalf of Scientists and Engineers For Secure Energy (SE₂), filed with the presiding officer a document that covered both suggestions as to further proceedings and extraneous matter. The extraneous matter consisted of that group's judgment of the record as it now stands, and an announcement that SE₂ would undertake to comment on the complete record at a later date. We ask that the material beginning on page five of that filing, "Suggestions as to the Record", and continuing through page twenty-two, be stricken.

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The participants were authorized to file suggestions for further proceedings, not their judgment of the record. The balance of the SE₂ filing is unauthorized.

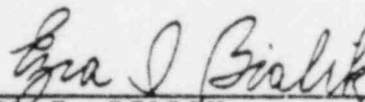
Participants have been permitted to set forth their views in their statements and cross-statements, but they have not been permitted to offer their views on the record in any other filing. SE₂ may not arrogate that right unto itself.

If SE₂ is an expert in the relevant area, as it says, it should have set forth its views in a statement and cross-statement. Otherwise, it is not entitled to introduce into the record its evaluation of the issues until other participants are permitted to do so.

Accordingly, the extraneous material in the SE₂ filing, from page five to page twenty-two, should be stricken.

Dated: November 3, 1980

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By



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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



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Proposed Rulemaking on the Storage)
And Disposal of Nuclear Waste)
10 CFR Parts 50 and 51)
(Waste Confidence Rulemaking))

PR-50, 51 (44 F.R. 61372)

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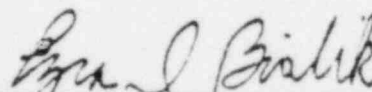
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