



**NEW YORK STATE ENERGY OFFICE**

**WILLIAM D. COTTER  
COMMISSIONER**

February 15, 1991

Mr. James Kennedy  
Office of Nuclear Material Safety  
& Safeguards  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Mr. Kennedy:

I am writing in regard to a letter dated February 7, 1991, from this Office to you concerning the Federal Register notice of Tuesday, December 4, 1990 (Vol. 55, No. 233, 50064) entitled Recommendations on the Title Transfer Provisions of the Low-Level Radioactive Waste Policy Amendments Act of 1985, seeking comments on SECY 90-318. As a result of clerical error during a period when this office was short-handed because of illness, a preliminary rough draft of comments in response to that notice was inadvertently sent to you as the final response document, in the form of the letter dated February 7, 1991, to you.

Please be advised that the February 7, 1991, letter is hereby withdrawn and should be deemed null and void and of no force or effect. Please discard it from the Commission's files.

Enclosed is a substitute letter dated as of today which comprises our response to the December 4, 1990, Federal Register notice and our comments on SECY 90-318.

Thank you for your assistance in correcting this problem.

Sincerely,

*Eugene J. Gleason*  
Eugene J. Gleason  
State Liaison Officer

*by DWP*

Enclosure

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