

November 20, 2007

MEMORANDUM TO: Karen D. Cyr
General Counsel

FROM: Annette L. Vietti-Cook, Secretary /RA/

SUBJECT: STAFF REQUIREMENTS – SECY-07-0168 – DENIAL OF
RULEMAKING PETITION REQUESTING AN AMENDMENT TO
10 CFR 2.314(b) REGARDING REPRESENTATION OF
AFFECTED UNITS OF LOCAL GOVERNMENT PARTICIPATING
IN THE HIGH-LEVEL WASTE PROCEEDING

The Commission has approved the recommendation to deny Lincoln County's petition for rulemaking and to publish a *Federal Register* notice announcing the denial.
(OGC) (SECY Suspense: 12/14/07)

The following changes should be made to the *Federal Register* notice.

1. In footnote 18, delete the first sentence and replace it with "To be clear, this response to the petition addresses only the representation of state and local government bodies, as defined in sec. 2.309(d)(2) and does not address the representation of any other type of entity."

This paper should be reviewed for a release determination and, at a minimum, the voting record and SRM from this paper should be made publicly available five business days after the letter is sent to the petitioner, as is current practice for release of information regarding decisions on rulemaking petitions.

cc: Chairman Klein
Commissioner Jaczko
Commissioner Lyons
EDO
ASLBP
CFO
OCA
OPA

SECY NOTE: This SRM and the related Commission Voting Record will be released to the public 5 working days after dispatch of the letter to the petitioner.