

December 20, 2007

MEMORANDUM TO: Karen D. Cyr
General Counsel

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

SUBJECT: STAFF REQUIREMENTS – SECY-07-0159 – DENIAL OF
PETITION FOR RULEMAKING (PRM-51-9) – THE STATE OF
NEVADA

The Commission has approved Option 2, to deny the petition, but state that NRC will treat Nevada's substantive claims against the FEIS as "new considerations" within the framework of § 51.109(c).

The Commission has approved publication of the *Federal Register* notice and dispatch of the letter to the petitioner. Commissioner Jaczko's vote should be included in the *Federal Register* notice.

(OGC)

(SECY Suspense: 1/25/08)

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
CFO
OCA
OPA

**THIS SRM TO BE MADE PUBLICLY AVAILABLE 5 WORKING DAYS
AFTER ISSUANCE OF THE LETTER TO THE PETITIONER**