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**To:** <MXB6@nrc.gov>  
**Date:** 8/20/03 10:21AM  
**Subject:** Fw: comments on draft report: NUREG-1773

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----- Original Message -----

**From:** "Doug Walker" <dwalker@deq.state.id.us>  
**To:** <isffacility@nrc.gov>  
**Sent:** Tuesday, August 19, 2003 4:40 PM  
**Subject:** comments on draft report: NUREG-1773

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**Comments on Draft Report: NUREG-1773**

**1. Page 1-9, line 12-13**

**Comment:** There is no specific reference to the NESHAP regulations within this section. While the assumption can be made that the Clean Air Act includes the NESHAP regulations, the State of Idaho does not have primacy for these regulations. Table 3-7 includes the NESHAP air quality standards as being part of the INEEL program for air quality management. If the Idaho Spent Fuel Facility will be included in the INEEL- NESHAP Emissions, it should be noted as an applicable regulation.

**2. Page 1-13, line 17-21**

**Comment:** In this section, DOE is described as being responsible for movement of the SNF from the current location at INTEC to the proposed Idaho Spent Fuel Facility. Additionally, Foster Wheeler (FWENC) the licensee has been described as being responsible for the design and operation of the Idaho Spent Fuel Facility.

However, the EIS has not clearly defined which part of the process will the DOE regulations apply versus NRC regulations. It should be stated within this section as to which part of the process will DOE regulations apply versus the NRC.