

August 26, 2014

Diane Curran
Harmon, Curran, Spielberg & Eisenberg, LLP
1726 M Street NW, Suite 600
Washington, DC 20036-4523

Dear Ms. Curran:

I am writing in response to the letter dated August 21, 2014, from you and Mindy Goldstein, on behalf of 34 organizations, regarding your request to postpone the affirmation session scheduled for August 26, 2014, associated with the approval of a final rule amending Title 10 of the *Code of Federal Regulations* Part 51 to revise the generic determination on the environmental impacts of continued storage of spent nuclear fuel and a related adjudicatory decision addressing the suspension of final licensing decisions and pending continued storage contentions. Your letter requested that the Commission postpone the affirmation session until early September, after the departure of Commissioner William Magwood, and articulated a concern that the Commissioner improperly denied a recent request to recuse himself from Nuclear Regulatory Commission decisions relating to safety and environmental protection.

The affirmation session took place on August 26, 2014. Commissioner Magwood responded to requests that he recuse himself from Commission activities in correspondence to you and Ms. Goldstein dated July 14, 2014, as well as in decisions issued on the same date in the *Fermi* and *Fort Calhoun* adjudicatory matters. These letters and decisions constituted final agency action with respect to Commissioner Magwood's recusal.

Sincerely,

/RA/

Annette L. Vietti-Cook