

STATE OF ILLINOIS  
**DEPARTMENT OF NUCLEAR SAFETY**

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65 FR 76669  
12/7/00  
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January 17, 2001

Chief  
Rules and Directives Branch  
Division of Administrative Services  
United States Nuclear Regulatory Commission  
Mail Stop T6-D59  
Washington, DC 20555-0001

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Division of Administrative Services

Re: Notice of Opportunity for Public Comment  
65 F.R. 76669-76670 (December 7, 2000)

To Whom It May Concern:

The Illinois Department of Nuclear Safety (IDNS) appreciates the opportunity to comment in response to the "Notice of Opportunity to Comment on the Proposed Information Initiative" that appeared in the Federal Register on December 7, 2000. An important aspect of this NRC initiative, as we understand it, is that NRC is seeking information from licensees and other stakeholders that can ultimately be used to find ways to reduce unnecessary regulatory burden. IDNS applauds NRC efforts to obtain input from interested stakeholders in this regard. IDNS agrees with and supports the concept of reducing unnecessary regulation.

The identification of unnecessary regulation is, of course, an important first step toward eliminating or modifying overly burdensome regulatory requirements. As the information gathering process continues, licensees and other stakeholders will identify regulations they believe should be eliminated or modified to reduce the regulatory burden. Eventually NRC will receive proposals for review and consideration. Our primary concern is that stakeholders, such as IDNS, be given sufficient and timely information to provide meaningful input regarding any specific proposals to reduce the regulatory burden.

Template = ADM-013

F-REDS = ADM-03

Call = Pat Madden (PMM)

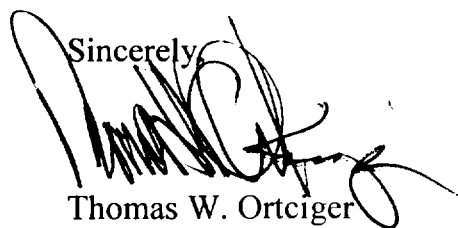


For any proposal NRC receives regarding a specific regulatory requirement, we would like to have certain information made available to us as early in the NRC review process as practical. Information we are particularly interested in having readily available includes: (1) a reference to the regulatory requirement in question, (2) a written discussion of NRC's published rationale for promulgating the requirement in question, and (3) a written discussion of new or changed facts that make the NRC rationale obsolete or too burdensome.

When submitting a proposal regarding a specific regulatory requirement, we believe that the proposing entity should provide its analysis of the questionable requirement for review by NRC staff. An informed analysis requires consideration of NRC's rationale for the regulation, as gleaned from the Federal Register, in light of any new or changed circumstances. NRC in turn should make the proposer's analysis available to other stakeholders early on in NRC's review process. Stakeholders, including those with limited resources, can then review competing rationales for a questioned requirement and provide more informed comments regarding the need to change or eliminate the requirement.

Again, our primary concern is that stakeholders, such as IDNS, be given sufficient and timely information to provide meaningful input regarding any specific proposals to reduce the regulatory burden. As an example, we are aware that Exelon has expressed interest in reducing the plume exposure pathway emergency planning zone (EPZ) requirement (10 C.F.R. 50.47(c)(2)) from an area with a ten mile radius to an area with a five mile radius. However, to date, IDNS has not reviewed an Exelon discussion of the NRC rationale for EPZs with ten mile radii; or an Exelon analysis of how new source term information supports a reduction in the size of EPZs. We believe that proposals to reduce the regulatory burden should be accompanied by analyses including discussions of any published NRC rationales for the regulations at issue, should contain more than mere conclusions, and should be made available to interested stakeholders such as IDNS.

Thank you very much for the opportunity to comment.

Sincerely,  
  
Thomas W. Ortziger  
Director