



Tennessee Valley Authority, 1101 Market Street, Chattanooga, Tennessee 37402-2801

DOCKET NUMBER
PETITION RULE PRM 52-1
(66FR 48832)

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OFFICE OF THE SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

October 31, 2001

Secretary
U.S. Nuclear Regulatory Commission
ATTN: Rulemakings and Adjudications Staff
Washington, D.C. 20555-0001

Gentlemen:

NUCLEAR REGULATORY COMMISSION (NRC) - INDUSTRY COMMENTS ON
NUCLEAR ENERGY INSTITUTE (NEI) PETITION FOR RULEMAKING, 10 CFR
PART 52 (DOCKET NO. PRM-52-1, VOLUME 66 *FEDERAL REGISTER* 48832)

TVA has reviewed and supports the proposed rule changes described in a petition for rulemaking filed by NEI regarding avoidance of duplicative reviews of valid, existing site/facility information associated with early site permits and combined license applications. The petition has been assigned Docket No. PRM-52-1 and was published in the September 24, 2001 *Federal Register*. TVA submits the following comments regarding the proposed rulemaking:

- TVA agrees with Chairman Meserve's statement in his February 28, 2001 letter to Senator Dominici that, "The NRC's review of an application for a new plant at an already licensed site should consider only those matters that must be considered to provide reasonable assurance that the site is acceptable for the additional incremental impact of the new unit." The industry proposal is consistent with this view.
- Proposed Sections 52.16 and 52.80 would make the preparation and review of early site permit and combined operating license applications more efficient by (1) reducing the number and scope of issues requiring consideration, and (2) focusing attention in the public hearing on the incremental impact of the new unit and not on matters that have been previously addressed and decided in prior proceedings.
- The industry proposal is consistent with the National Environmental Policy Act and numerous NRC precedents in Parts 50, 52, and 54 where efficiency is enhanced through avoidance of duplicative reviews.

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Accordingly, TVA concurs with NEI's recommendations to (1) add provisions to Part 52 that will avoid duplicative NRC reviews of valid, existing site/facility information that was previously approved by the NRC and subject to public hearings, and (2) ensure that consideration of the petition be integrated with the upcoming notice of proposed rulemaking on Part 52.

We appreciate the opportunity to comment on this rulemaking petition. If you have questions regarding this response, please contact me at (423) 751-2508.

Sincerely,



Mark J. Burzynski

Manager
Nuclear Licensing

~~(Via NRC Electronic Distribution)~~
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