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PETITION RULE FROM 52-2  
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USNRC

August 1, 2002

September 12, 2002 (2:48PM)

The Honorable Richard A. Meserve, Chairman  
The Honorable Dr. Nils J. Diaz, Commissioner  
The Honorable Greta J. Dicus, Commissioner  
The Honorable Edward McGaffigan, Jr., Commissioner  
The Honorable Jeffrey S. Merrifield, Commissioner  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Dear Chairman and Commissioners:

Over the last several months I have been attending the meetings between the NRC's New Reactor Licensing Project Office and the Nuclear Energy Institute, Exelon, Entergy and Dominion. Some of these meetings and many of the discussions have concerned changing the NRC's regulations governing early site permits, design certifications and combined licenses.

During the course of these meetings, it has become increasingly evident that the proposed rule changes being suggested by the Nuclear Energy Institute and the nuclear industry are not due to any defect in the rule. The proposed changes will not relieve the industry of any "unnecessary regulatory burden" nor will it make the process more efficient or effective.

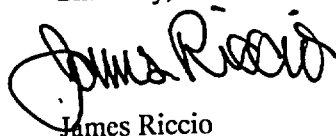
The NEI and the nuclear industry are seeking to change NRC's regulations due to their inability to choose a specific reactor design that they intend to construct. This reticence on the part of Exelon, Entergy and Dominion is not due to the lack of potential nuclear plant designs. The NRC has already certified several nuclear power plant designs and is in the process of certifying several more.

Rather, Exelon, Entergy and Dominion have failed to choose a specific nuclear reactor design because none of the reactors are economically viable. While I appreciate the industry's predicament, the inability of new nuclear power plants to compete in a deregulated electricity market is not a legitimate reason to alter NRC regulation.

I am aware that the Commission, at the behest of the nuclear industry, is currently considering several changes to the regulations governing early site permits and new reactor licensing. I ask that you reject the NEI and industry proposed changes to Part 52. To do otherwise will only serve to undermine public confidence in the legitimacy of the NRC and any future reactor licensing process.

I thank you for your time and consideration of this important matter.

Sincerely,



James Riccio  
Nuclear Policy Analyst

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