

July 2, 2004

Congressman Christopher Shays
ATTN: Danielle Rosengarten
1126 Longworth House Office Building
Washington, DC 20555

Dear Congressman Shays:

I am responding to your June 3, 2004, letter to me transmitting correspondence you received from your constituent, Larry Kaley, dated January 27, 2004. In that correspondence, subject "Millstone Nuclear Power Plant," Mr. Kaley refers to the Nuclear Regulatory Commission's ("NRC's") revised Rules of Practice in 10 C.F.R. Part 2 ("New Part 2") that became effective on February 13, 2004. See 69 Fed. Reg. 2182 (Jan. 14, 2004). Commenting on NRC's licensing process and New Part 2 in particular, Mr. Kaley expressed the view that "[t]he public needs more input not less in an industry that produces spent fuel rods, a deadly byproduct."

With respect to Mr. Kaley's concerns regarding public input, the Commission takes the view that "[o]ne of the cornerstones of the NRC's regulatory approach has always been ensuring that its review processes and decision making are open, understandable, and accessible to all interested parties." 69 Fed. Reg. at 2182. Application of the New Part 2 aims to achieve these long-standing agency goals.

In his letter, Mr. Kaley also raised a concern about the timing of the Notice of Opportunity for a Hearing regarding the renewal of the operating license for Millstone Nuclear Power Station, Units 2 and 3. The Commission has addressed this concern as part of the ongoing adjudication involving the license renewal request. In reviewing the issue, the Commission did not elect to apply the previous version of Part 2. A copy of the Commission's decision relating to this issue is attached for your information. Additional information regarding license renewal at Millstone Nuclear Power Station can be obtained on the NRC's web site, <http://www.nrc.gov>, in conjunction with Docket Nos. 50-336 and 50-423.

I hope this information will be useful to you.

Sincerely,

/RA/

Karen D. Cyr
General Counsel

Enclosure: Commission Memorandum and Order,
CLI-04-12 (May 4, 2004).

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