

September 7, 2005

Mr. Kevin Kamps
Nuclear Information and Resource Service
1424 16th St N.W., Suite 404
Washington, DC 20036

SUBJECT: RESPONSE TO REQUEST FOR EXTENSION OF ENVIRONMENTAL
SCOPING COMMENT PERIOD REGARDING THE PALISADES NUCLEAR
PLANT LICENSE RENEWAL (TAC NO. MC8191)

Dear Mr. Kamps:

This letter responds to your August 19, 2005, e-mail to the Acting Secretary of the U. S. Nuclear Regulatory Commission (NRC), in which you requested an extension to the period for comment on the scope of the environmental review for license renewal for the Palisades Nuclear Plant (Palisades). The end date for the comment period was August 22, 2005. For the reasons discussed below, the NRC denies your request for an extension. However, as we stated at the public meetings on July 28, 2005, we will consider and include any comments received after August 22, 2005, to the extent that it is practicable to do so. We note that you submitted comments by e-mail on August 22, 2005, and these comments will be considered.

The NRC established the time period for comments on the scope of the environmental review for license renewal to balance the Commission's goals of ensuring openness in our regulatory processes with ensuring that our actions are effective, efficient, realistic, and timely. Your request did not provide a sufficient basis for an extension to the established comment period.

The NRC staff provided the public with several notices of the Palisades license renewal application and opportunities for public participation in the license renewal process. The application for renewal of the Palisades operating license was submitted by Nuclear Management Company (NMC) on March 22, 2005. NRC issued a press release on April 5, 2005, announcing the availability of the application, and published a Notice of Receipt and Availability regarding the application in the *Federal Register* on April 12, 2005 (70 FR 19104). The staff published a Notice of Acceptance for Docketing and Notice of Opportunity for Hearing regarding the application in the *Federal Register* on June 8, 2005 (70 FR 33533), and announced the opportunity for hearing in a press release on June 9, 2005. The staff published a Notice of Intent to Prepare an Environmental Impact Statement and Conduct Scoping regarding the application in the *Federal Register* on June 27, 2005 (70 FR 36967).

In addition to the many public notifications, the staff held public meetings in the vicinity of the site to receive comments from members of the public and to provide information regarding the license renewal process, including opportunities for public involvement in the process. The NRC held meetings related to the Palisades license renewal application on April 28, 2005, and July 28, 2005.

The staff provided an overview of the NRC's license renewal review process at the April 28, 2005, meeting and included information regarding the NRC's environmental review process and schedule. The staff provided notice of this meeting on the NRC's public Web site, and issued a press release on April 25, 2005, regarding this meeting. Prior to the meeting, the staff placed advertisements in the *Herald-Palladium*, the *Kalamazoo Gazette*, and the *South Haven Tribune*. At the July 28, 2005, meeting, the staff provided an overview of the NRC's environmental review process for license renewal and provided an opportunity for members of the public to provide transcribed comments regarding the scope of the NRC's environmental review. The staff also provided notice of this meeting on the NRC's public Web site, and issued a press release on July 19, 2005, regarding this meeting. The staff also placed advertisements for this meeting in the *Grand Rapids Press* and the *South Haven Tribune* on July 17 and July 24, 2005. Several signatories of your subject request attended and provided detailed comments at one or both of these meetings.

Although the staff regrets that some interested members of the public may have missed the many opportunities to become aware of the Palisades license renewal application and the NRC's review process, we believe that the time period established for comment on the scope of the environmental review for license renewal appropriately balances the Commission's goals. Therefore, your request to extend the comment period is denied. The NRC will provide interested members of the public with an additional opportunity to provide comments on the Palisades license renewal environmental review. A 75 day period for providing comments on the draft supplemental environmental impact statement (SEIS) related to the Palisades license renewal application will begin on the date of the *Federal Register* notice announcing publication of the draft SEIS. The draft SEIS is currently scheduled to be published in February 2006.

If you have any questions about the basis for our decision, please contact Mr. Robert Schaaf, Senior Environmental Project Manager, of my staff at 301- 415-1312 or via e-mail at RGS@nrc.gov.

Sincerely,

/RA/

J. E. Dyer, Director
Office of Nuclear Reactor Regulation

Docket No.: 50-255

The staff provided an overview of the NRC's license renewal review process at the April 28, 2005, meeting and included information regarding the NRC's environmental review process and schedule. The staff provided notice of this meeting on the NRC's public Web site, and issued a press release on April 25, 2005, regarding this meeting. Prior to the meeting, the staff placed advertisements in the *Herald-Palladium*, the *Kalamazoo Gazette*, and the *South Haven Tribune*. At the July 28, 2005, meeting, the staff provided an overview of the NRC's environmental review process for license renewal and provided an opportunity for members of the public to provide transcribed comments regarding the scope of the NRC's environmental review. The staff also provided notice of this meeting on the NRC's public Web site, and issued a press release on July 19, 2005, regarding this meeting. The staff also placed advertisements for this meeting in the *Grand Rapids Press* and the *South Haven Tribune* on July 17 and July 24, 2005. Several signatories of your subject request attended and provided detailed comments at one or both of these meetings.

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Sincerely,

/RA/

J. E. Dyer, Director
Office of Nuclear Reactor Regulation

Docket No.: 50-255

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Accession Nos.: ML052410035- Package
ML052380421- Incoming
ML052410029- Response

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DATE	9/01/05	8/31/05	9/01/05	8/31/05
OFFICE	PD:RLEP	OGC: NLO	D:DRIP	D:NRR
NAME	PTKuo (S. Lee for)	Dreddick (w/comments)	DMatthews	JDyer
DATE	9/02/05	9/02/05	9/06/05	9/07/05

Letter to K. Kamps From: J. E. Dyer, Dated: September 7, 2005
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