

(8)

PR 1,2,10,19,20,21,25,26,50,51,52,54,55, et. al.  
(71FR12781)

From: <RMartinezLVNV@aol.com>  
To: <secy@nrc.gov>  
Date: Tue, May 30, 2006 11:58 PM  
Subject: RIN 3150-AG24

DOCKETED  
USNRC

May 31, 2006 (9:22am)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Just to be brief on this topic. I am concerned with any appearance that this may be another effort to fast track processes to increase the amount of waste destined for the West. That problem should be resolved before more waste is created, but that is for another day. We still have to look to you to assure that the health of the public and the environment are protected. You have to stop bowing to political pressure and stop cheerleading for the industry. You have a responsibility to be a fair and objective regulator, not a promoter! If you're not independent, then this is a useless exercise. I hope that my comments provide you with insights from someone familiar with the sentiments in the West; I don't profess to have the intimate understanding that others may have on these issues, but I am well aware of the role of nuclear power in the mix of energy supplies.

As for this proposal, I can understand that it makes sense to change the design certification process now because you may have learned something in doing this over the years. We have yet to see what a site permit or a combined construction permit and operating license is supposed to look like; why won't you show them to us before you ask us to comment on your rules? I don't think that we can be well informed if you still have the rest of the story still unpublished. Are the permits and licenses going to be nonspecific sweetheart deals for the industry ("just do good") or are they going to be specific so they're held accountable for their performance?

I have read about the increased interest in combined permits and licenses, but I'm not aware that any of them have been requested yet. I read parts of the site permit material and all I see are design concepts, something called a plant parameter envelope; it's not apparent that the site approval applications were for a specific design like they were in the past. I'm struggling with anyone approving an idea unless she/he is just seeking a copyright or a patent; when will the NRC evaluate the specific design that someone wants to build so you can figure out how the design copes with the environmental extremes, how the public is going to be protected from accidents, and how the design can impact the environment and what can be done to make it even smaller. The applications read like someone wants to build something somewhere sometime, much like a zoning decision: residential or industrial. Why don't you just require applicants to show you the actual designs that they want to build on sites on the sites they want approved instead of a concept? Locally, we cannot get a building permit until the architect's plans have been approved; the NRC should not approve construction and operation until the NRC reviews the actual design for the actual place on the site. It still is not clear what value the envelope has in your regulations and if it can work years in advance of the actual decision to build something; please define now it so that we do not have another bait and switch.

If I'm reading your regulations right, the NRC can approve a bad site if the other ones are not any better. Why don't you demand that your applicants only consider good sites and then have them choose one of the best sites they considered? If a site has a problem with it, such as a problem in developing emergency plans, then it should not be used. Why give the public a reason to question the defects of a site? If there's a defect in a site then don't approve it; if it can be used anyway then why pretend that you're doing a real review.

Template= SECY-067

SECY-02

The obviously superior standard should also be defined so that there is no confusion.

The plan to treat an approved design as a final design without changes is OK: you get exactly what you buy, no more, no less. It not clear that it works where the environment is involved since the world is changing over time; in many ways the environment can change underneath you without the changing what you want to build. We've had tsunamis, earthquakes, and hurricanes that have devastating effects on communities and landscapes; how are these related to development and emergency plans that may have been considered years earlier. Nevada's the fastest growing State in the Nation; plans that were approved last year still likely to work, but those approved 25 years ago probably don't unless you reaffirm that they are still compatible. You should consider this concept if there were severe environmental events or changes in the environment.

Finally, I've tried to understand how the NRC is to meet its obligations under the National Environmental Policy Act. It's just too complex. First, I thought that endangered species was covered under another law. It's not evident why you ask a question for dealing with the relationship between a site review that does not have a specific design in mind and updating it before the construction permit and operating license. Are you asking whether there should be an opportunity to remedy the defects of the site permit by providing specific design information? If that's the case, then it improves the process provided that the permit is changed in the same way that it was issued. If this is to be a convoluted back door fix without a formal review by the NRC or without the opportunity for the public to be informed, then my original comments still apply. We still have to look to you to assure that the health of the public and the environment are protected. You have to stop bowing to political pressure and stop cheerleading for the industry. You have a responsibility to be a fair and objective regulator, not a promoter! Do good for all of us.

RM

**Mail Envelope Properties (447D144D.E25 : 15 : 65061)**

**Subject:** RIN 3150-AG24  
**Creation Date** Tue, May 30, 2006 11:57 PM  
**From:** <RMartinezLVNV@aol.com>

**Created By:** RMartinezLVNV@aol.com

**Recipients**

nrc.gov

TWGWPO02.HQGWDO01  
SECY (SECY)

**Post Office**

TWGWPO02.HQGWDO01

**Route**

nrc.gov

**Files**

MESSAGE  
TEXT.htm  
Mime.822

**Size**

5785  
6776  
14160

**Date & Time**

Tuesday, May 30, 2006 11:57 PM

**Options**

**Expiration Date:** None  
**Priority:** Standard  
**ReplyRequested:** No  
**Return Notification:** None

**Concealed Subject:** No  
**Security:** Standard

**Junk Mail Handling Evaluation Results**

Message is eligible for Junk Mail handling  
This message was not classified as Junk Mail

**Junk Mail settings when this message was delivered**

Junk Mail handling disabled by User  
Junk Mail handling disabled by Administrator  
Junk List is not enabled  
Junk Mail using personal address books is not enabled  
Block List is not enabled