

PRM-54-03
(70FR54310)

MICHELE R. DONATO
ATTORNEY AT LAW
A PROFESSIONAL CORPORATION

106 GRAND CENTRAL AVENUE
P.O. BOX 145
LAVALLETTE, NJ 08735-0145

PHONE: (732) 830-0777
TELEFAX: (732) 830-0778
EMAIL: mdonato@MicheleDonatoEsq.com

DOCKETED
USNRC

October 6, 2006

October 19, 2006 (11:30am)

Annette L. Vietti-Cook, Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Attention: Rulemakings and Adjudications Staff

Subject: Petition for Rulemaking
Amendment to 10 C.F.R. Part 54

Dear Madam Secretary:

Please be advised that I represent Mayor Joseph Scarpelli of Brick Township, the New Jersey Environmental Federation and the New Jersey Sierra Club in connection with a petition for rule change.

Since filing the petition, the Nuclear Regulatory Commission ("NRC") has acknowledged the procedural accuracy of the request but has taken no steps to process the requested rule change. In light of the recent decision of the Court of Appeals in Saint Luis Obispo Mothers for Peace, et al v. Nuclear Regulatory Commissioner, (Docket No. 0374628, Decided June 2, 2006), it is obviously critical that the NRC broaden its perspective in reviewing license renewals in order to protect the public interest. We are confident that similar issues involving changes in circumstances, population, and other considerations would be met with the same response from the Court.

In order to establish the legitimacy of your undertaking, it is imperative that you move this requested petition forward without further delay or inaction on your part. I feel compelled to remind the NRC that you are charged with the mission of protecting public health and safety. It is not your responsibility to advocate for or to assure the continuation of aging nuclear power plants.

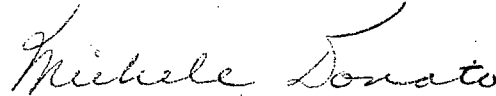
Template = SECY-067

SECY-02

October 6, 2006

Please have someone contact me upon receipt of this letter so that we can review the status of the petition and arrange for it to be processed in a timely and meaningful manner.

Very truly yours,



Michele R. Donato

MRD:dp

cc: Mayor Joseph Scarpelli
New Jersey Environmental Federation
The Sierra Club
Richard Webster, Esq.
Governor Jon Corzine
Commissioner Lisa Jackson, NJDEP
The Honorable Robert E. Andrews
The Honorable Jim Saxton
The Honorable Christopher H. Smith
The Honorable Frank Pallone, Jr.
The Honorable Bill Pascrell, Jr.
The Honorable Rush Holt