

To: Hagan,  
ADM

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

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SUBJECT: Formal petition for rulemaking per 2.802

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**From:** <RoycePenstinger@aol.com>  
**To:** <chairman@nrc.gov>, <secy@nrc.gov>, <nas@nrc.gov>  
**Date:** Thu, May 3, 2007 3:33 PM  
**Subject:** Formal Petition for rule making per 2.802

Dear Chairman:

### 2.802 Formal Petition For Rule Making

This week Entergy formally filed its Application for License Renewal with the NRC for Indian Point Reactors 2 and 3. The licensee has spent no less than one year preparing this document for submission, with perhaps tens of thousands of man hours involved in the document preparation process. The application, and its underlying support documents are some 2000 pages in length, and reference 100's if not thousands of rules, regulations and industry citations. The sheer volume of the application and its underlying citations is far to immense to adequately address in the time NRC has allotted. (24-30 months, with 30 months planned only if a hearing is requested.) In fact, it is pointed out to you, that NRC's manual answering COMMONLY asked questions in the license renewal process is over 100 pages in length. I've spent the better part of six hours today alone, surfing the NRC's web site to familiarize myself with the revised re-licensing rules and regulations.

The NRC gives little if any merit to citizen desires, opinions and views, especially if they are not backed up by factual arguments with appropriate citation of sources to validate one's allegations. In short, to be actively involved, to adequately exercise ones rights as a citizen stakeholder in the re-licensing process requires a tremendous amount of work and research if one intends to articulately discuss and defend their concerns and objections.

As a stakeholder living a scant three miles from Indian Point's aging, brittle reactors, it is my intention to file for intervenor status, as well as request a hearing at the appropriate place and time. However, my primary concern in the immediate moment is to have adequate time to research, study and disseminate the Indian Point License Renewal Application, and its various assorted underlying documents and cites, so that I can fully participate in the public meeting process from beginning to end. This need is of paramount importance, especially after the NRC egregiously mitigated public participation to facilitate a faster re-licensing schedule by limiting/reducing the number of public meeting opportunities available to us in host communities. In short, we cannot waste our limited opportunities because we are unfamiliar with and uneducated about the issues going in to the process.

Speaking with various friends of mine within the legal community today, explaining too them the volumes of material that need to be waded through to be properly prepared for even the first public meeting, pointing out that I as a lone singular stakeholder have no help in the information dissemination task, it was decided that a period of 18 months before the first public meeting is held would be both adequate and fair, and would serve to protect my rights as a stakeholder, and such an extension of time would be commiserate with the allotted Entergy in preparing said document. Further, because Entergy has submitted their license renewal application years before their current licenses would terminate, such a time extension would not create time constraint issues for them. Lastly, this request is doubly fair, since we in the stakeholder community are being forced to defend against not one, but two license

renewal applications simultaneously, which further complicates our task.

For these reasons, I hereby move and request that NRC, and the commission grant my reasonable request for and extension of time for document review before a/any public meeting is held, of eighteen months, with the time clock on said extension beginning the day after all documents contained in the Entergy Indian Point License Application packet are made FULLY available to me. (note...a letter from your online document room staff received today indicates that some of said documents are under review, and they were not sure when they would be made available to members of the general public.). I thank you, and the staff of the NRC for your due diligence in consideration this matter.

Respectfully,

Sherwood Martinelli  
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(914) 734-1955

\*\*\*\*\* See what's free at <http://www.aol.com>.

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