

From: Kevin Kamps [kevin@beyondnuclear.org]
Sent: Saturday, January 24, 2009 8:26 PM
To: Fermi3COLEIS Resource
Subject: Formal written request for a 120 day extension to the Fermi 3 environmental scoping public comment period

Chief
Rulemaking, Directives and Editing Branch
Division of Administrative Services
Office of Administration
Mailstop TWB-05-B01M
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dear NRC Officials,

On behalf of our members in Michigan and Ohio, I am writing to request a 120 day extension to the current Feb. 9, 2009 deadline for public comment on the environmental scoping for the proposed Fermi 3 reactor near Monroe, Michigan. I also request that NRC hold another public meeting, like the one held on Jan. 14th at Monroe County Community College, only this time in the spring, when the weather is more conducive to a large public turn out.

Ever since the Fermi 3 licensing proceeding was first announced in early December, 2008 in the Federal Register, I have had repeated problems utilizing NRC's website and ADAMS system to access relevant documents due to the NRC system's dysfunctionality. Such problems were especially bad during the holiday season between Christmas and New Year's, when preparations for the Jan. 14th meeting were urgently needed to be undertaken. Given the immense size of the documentation -- nearly 2,000 pages for the Environmental Report alone, and around 17,000 pages for the overall Combined Construction and Operating License Application (COLA) -- it is eminently reasonable for NRC to grant a 120 day extension to the current deadline. This is the only way for ordinary citizens concerned about the Fermi 3 proposal to read and analyze such incredibly long and technical documents, and seek expert assistance in their analysis and in the preparation of comments to NRC in response.

NRC's publication of the press release announcing the Jan. 14th public meeting late in the afternoon on Christmas Eve also served to significantly lower public involvement. In fact, the press release was obscured by the fact that it was not posted on the NRC's homepage, but only in its press release archives, even on the initial day of its publication.

This poor public notification was compounded by the extreme winter weather that occurred on Jan. 14th. NRC should have realized that holding a public meeting on Jan. 14 in southeast Michigan on the Great Lakes shore ran a high risk of experiencing severe winter weather that would dramatically lower public turn out. The blowing and drifting snow, and extreme cold, deterred a significant number of persons from venturing forth to the meeting on Jan. 14th. An entire carpool of concerned citizens from Ann Arbor, who oppose the Fermi 3 reactor, phoned to

inform me that the extreme winter weather would make it impossible for them to attend either of the day's sessions. The impacts and risk of this extreme cold was made all the more clear by the dead car battery experienced by NRC's Gregory Hatchett that day. The extreme cold was near record breaking, and The Weather Channel on cable television, and other authorities, were explicitly urging vulnerable persons -- such as the elderly -- to remain indoors and not risk outdoor travel given the hazardous road conditions. All of this dramatically reduced what would have been a much larger turn out at the public meeting. By way of comparison, a much larger crowd of participants from the public attended the NRC introductory meeting last August 20th, 2008 at the same location. However, that event was not an official NRC meeting for the acceptance of official public comment into the NEPA record. For these reasons, I request a hearing during more reasonable weather conditions, such as in May or June. This would be made possible by a 120 day extension to the comment period.

A compelling reason to grant the 120 day extension to the comment deadline is the fact that the ESBWR design is not yet certified by NRC. In fact, GE-Hitachi has yet to finish the design. There remain hundreds of unresolved technical issues. Thus, it is impossible for us to comment meaningfully on a design that is neither complete nor certified. Some nuclear utilities (Exelon, Entergy), in fact, have cancelled their involvement with the ESBWR design, given its incomplete status. It would be a violation of the public's good will and good faith to rush this Fermi 3 licensing proceeding only to have DTE Energy cancel its pursuit of the ESBWR design -- a not unlikely possibility, given recent developments -- for concerned citizens and environmental organizations would have participated in good faith, only to have their significant investment of time, work and resources wasted when DTE announces it has decided to cancel its ESBWR proposal.

For the reasons laid out above, and on behalf of our members in Michigan and Ohio, I request a 120 day extension to the environmental scoping deadline for public comments on Fermi 3. This would make much more possible meaningful public involvement by a much larger number of concerned citizens and environmental organizations.

Sincerely,

/s/

Kevin Kamps
Beyond Nuclear

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Subject: Formal written request for a 120 day extension to the Fermi 3 environmental scoping public comment period

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