NUCLEAR ENERGY INSTITUTE

Ellen C. Ginsberg
VICE PRESIDENT, GENERAL COUNSEL
AND SECRETARY

7/31/09
74 FR 38238

(1)

August 14, 2009

RECEIVED
2009 AUG 17 PM 1:55
RULES AND DIRECTIVES BRANCH USNRC

Ms. Annette L. Vietti-Cook
Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
ATTN: Rulemaking and Adjudications Staff

Subject: NRC Docket ID [NRC-2008-0608]: Request for Extension of Public Comment Period

Dear Ms. Vietti-Cook:

On July 31, 2009, the NRC published three notices in the Federal Register. *See 74 Fed. Reg. 38,117, 38,238, 38,239.* These notices request public comment on a proposed rule updating the Commission's 1996 findings on the environmental impacts of license renewal, and draft revisions to several important guidance documents including NUREG-1437 and Regulatory Guide 4.2, Supplement 1 (DG-4015). Comments on these documents are currently due to the NRC by **Wednesday, October 14, 2009**. The Nuclear Energy Institute (NEI)[1] respectfully requests that the NRC extend the comment period on these documents until approximately **Monday, December 14, 2009**.

Specifically, the NRC has announced proposed revisions to:

- Table B-1 in Appendix B to Subpart A of 10 CFR Part 51, "Summary of Findings on NEPA Issues for License Renewal of Nuclear Power Plants" and related Part 51 provisions that summarize the Commission's findings on the scope and magnitude of environmental impacts of renewing the operating license for a nuclear power plant.

- The 1996 NRC Generic Environmental Impact Statement for License Renewal of Nuclear Plants (GEIS), NUREG-1437, which provides the agency's technical basis for the update of Part 51, Appendix B, Subpart A.

[1] NEI is the organization responsible for establishing unified industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include all entities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel fabrication facilities, materials licensees, and other organizations and individuals involved in the nuclear energy industry.

SUNSI Review Complete

E-RIDS = ADM-03

1776 I Street, NW | Suite 400 | Washington, DC | 20006-3708 | P: 202.739.8140 | F: 202.533.0140 | ecg@nei.org | www.nei.org

Template = ADM-013

Add = J. Harris (JXD10)

- Regulatory Guide 4.2, "Preparation of Environmental Reports for Nuclear Power Plant License Renewal Applications," which provides guidance to licensees seeking license renewal.

- NUREG-1555, "Standard Review Plans for Environmental Reviews for Nuclear Power Plants," which provides guidance to the NRC staff in implementing the requirements of 10 CFR Part 51.

License renewal is a well-established NRC licensing process that has been used to successfully renew operating licenses for 54 of the 104 currently operating nuclear plants in the United States. Thus, changes to the regulations and supporting guidance affecting this process must be carefully considered. The sheer size of the relevant documents – which span over 1,400 pages – and their importance to the license renewal process warrant that stakeholders be given a more reasonable amount of time in which to analyze them and develop meaningful comments.

Importantly, the NRC has scheduled a series of four public meetings on the draft GEIS that will occur throughout the second half of September, as well as an additional public meeting on the proposed rulemaking for October 1, 2009 *(74 Fed. Reg. 38,240)*. Extending the comment period, as suggested above, also will allow stakeholders to use information presented at these public meetings to provide the agency with more comprehensive and meaningful comments. It would be counterproductive to hold the public meetings, but not provide sufficient time for stakeholders to inform their comments with the information obtained at the meetings. In short, providing too little time between the public meetings and the comment due date would create inefficiencies, as stakeholders could be forced to supplement comments that have already been submitted based on information communicated at the meeting or submit comments out of time.

For all of these reasons, NEI respectfully requests that the NRC Staff extend the public comment period on this matter from October 14 until December 14, 2009. Should you require additional information relating to this request for extension, please contact me or Anne Cottingham at (202) 739-8139; awc@nei.org.

Sincerely,

Ellen C. Ginsberg

c: Mr. Jason A. Lising, NRC
Ms. Jennifer B. Davis, NRC
NRC Document Control Desk