

PR 51
(74FR38117)



RIVERKEEPER.

DOCKETED
USNRC

September 1, 2009 (1:40pm)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

VIA U.S. MAIL AND E-MAIL

August 31, 2009

Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001
Attn: Rulemakings and Adjudications Staff
Rulemaking.Comments@nrc.gov

Re: Revisions to Environmental Review for Renewal of Nuclear Power Plant Operating Licenses (10 C.F.R. Part 51, RIN 3150-I42, NRC-2008-0608, 74 Fed. Reg. 38,117 (July 31, 2009))

Dear Rulemakings and Adjudications Staff:

Riverkeeper, Inc. (hereinafter "Riverkeeper") hereby respectfully requests that the Nuclear Regulatory Commission extend the comment period for the above-referenced rulemaking proceeding by 90 days. As an organization dedicated to addressing environmental issues related to the operation of Indian Point nuclear power plant, Riverkeeper has a vested interest in the subject rulemaking.

The proposed rule attempts to update 13-year old findings related to environmental reviews for nuclear power plant license renewals. Since the time these original findings were made by the Commission, significant events and new knowledge have fundamentally changed the baseline environment. Ample time is needed to thoroughly review the NRC's update to determine whether the proposed modifications accurately reflect the new environmental landscape that has developed over the last 13 years. Allowing sufficient time for meaningful public input will truly benefit the process by allowing for a more comprehensive review by the NRC. Such a comprehensive review is imperative in light of the fact that the next reassessment will not occur for at least 10 years. *See* 10 C.F.R. Part 51, App. B to Subpart A.

The need for ample time to review and comment upon the proposed changes is also underscored by the amount of time and effort that ostensibly went into the revisions. Indeed, the NRC has spent three years since the first 10-year review cycle ended in 2006 devising the proposed changes. *See* 10 C.F.R. Part 51, App. B to Subpart A. The resulting draft documents incorporating the NRC's changes (Generic Environmental Impact Statement (GEIS) for License

Renewal of Nuclear Plants (NUREG-1437, Revision 1), Regulatory Guide 4.2, Supplement 1, Revision 1, and Environmental Standard Review Plan, Supplement 1, Revision 1 (NUREG-1555)), are quite voluminous in nature and will take a considerable amount of time to properly review and analyze.

Based on the foregoing, we believe that the current 75-day comment period, which expires on October 14, 2009, is not a sufficient amount of time to provide Riverkeeper and the public with a full and fair opportunity to provide meaningful comments. Therefore, Riverkeeper submits that the comment period should be extended for an additional 90 days.

Thank you very much for your consideration of this request. Should someone wish to contact me to discuss any of the foregoing, I may be reached at (914) 478-4501 x 230, or via e-mail at dbrancato@riverkeeper.org.

Sincerely,

A handwritten signature in cursive script that reads "Deborah Brancato".

Deborah Brancato
Staff Attorney

Rulemaking Comments

From: Deborah Brancato [DBrancato@riverkeeper.org]
Sent: Monday, August 31, 2009 7:59 PM
To: Rulemaking Comments
Subject: Request for extension of public comment period on Proposed Rule (RIN 3150-I42, NRC-2008-0608, 74 Fed. Reg. 38117 (July 31, 2009))
Attachments: 2009.08.31.Letter Requesting Extension of Public Comment Period.pdf

To NRC Rulemakings and Adjudications Staff,

Attached, please find a letter from Riverkeeper, Inc., requesting an extension of time to file public comments on the NRC's proposed rule, "Revisions to Environmental Review for Renewal of Nuclear Power Plant Operating Licenses." A hard copy will follow by mail.

We appreciate your consideration of this request.

Respectfully submitted,

Deborah Brancato
Staff Attorney
Riverkeeper, Inc.
828 South Broadway
Tarrytown, NY 10591
914-478-4501 (ext. 230)
Fax: 914-478-4527
dbrancato@riverkeeper.org
www.riverkeeper.org

Riverkeeper -- Defending the Hudson. Protecting Our Communities.

This message contains information that may be confidential or privileged and is intended only for the individual or entity named above. No one else may disclose, copy, distribute or use the contents of this message. Unauthorized use, dissemination and duplication is strictly prohibited, and may be unlawful. All personal messages express views solely of the sender, which are not to be attributed to Riverkeeper, Inc. and may not be copied or distributed without this disclaimer. If you received this message in error, please notify us immediately at info@riverkeeper.org or call 914-478-4501.

Received: from mail1.nrc.gov (148.184.176.41) by TWMS01.nrc.gov
(148.184.200.145) with Microsoft SMTP Server id 8.1.393.1; Mon, 31 Aug 2009
19:58:55 -0400

X-Ironport-ID: mail1

X-SBRS: 2.9

X-MID: 5947628

X-IronPort-Anti-Spam-Filtered: true

X-IronPort-Anti-Spam-Result:

AkEEAO//m0pgOcNCgWdsb2JhbACBU1YtmFABARYkrn0JjweCS4FPBQ

X-IronPort-AV: E=Sophos;i="4.44,308,1249272000";
d="pdf?scan'208,217";a="5947628"

Received: from ool-6039c342.static.optonline.net (HELO
halfmoon.riverkeeper.org) ([96.57.195.66]) by mail1.nrc.gov with ESMTP; 31
Aug 2009 19:58:53 -0400

Received: from halfmoon.riverkeeperny.com ([10.1.4.52]) by
halfmoon.riverkeeperny.com ([10.1.4.52]) with mapi; Mon, 31 Aug 2009 19:58:51
-0400

From: Deborah Brancato <DBrancato@riverkeeper.org>

To: "Rulemaking.Comments@nrc.gov" <Rulemaking.Comments@nrc.gov>

Date: Mon, 31 Aug 2009 19:58:48 -0400

Subject: Request for extension of public comment period on Proposed Rule
(RIN 3150-142, NRC-2008-0608, 74 Fed. Reg. 38117 (July 31, 2009))

Thread-Topic: Request for extension of public comment period on Proposed
Rule (RIN 3150-142, NRC-2008-0608, 74 Fed. Reg. 38117 (July 31, 2009))

Thread-Index: AcoqlvsS6jwQYGbyTF6Fcg8qmue4rw==

Message-ID:

<034515570463034C82F8EE369F60E8BE93405224DC@halfmoon.riverkeeperny.com>

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach: yes

X-MS-TNEF-Correlator:

acceptlanguage: en-US

Content-Type: multipart/mixed;

boundary="_004_034515570463034C82F8EE369F60E8BE93405224DChalfmoonriver_"

MIME-Version: 1.0

Return-Path: DBrancato@riverkeeper.org