

Erwin Citizens Awareness Network
P.O. Box 1151
Erwin, Tennessee 37650

December 14, 2009

Ms. Annette L. Vietti-Cook
Secretary of the Commission
Nuclear Regulatory Commission
Washington, DC 20555-0001

VIA: Email

RE: NUCLEAR FUEL SERVICES (NFS) 40-YEAR LICENSE RENEWAL APPLICATION;
DOCKET NO. 70-143; NRC-2009-0435. Digital Codes ALN11LML1 and ALN11BOEM

Dear Madam Secretary:

Thank you for extending the time from December 7th to December 21st for potential petitioners to file for a hearing in the matter of NFS' application for a 40-year license renewal. Because health problems continue to plague our families, we are unable to petition for a hearing by December 21, 2009. We apologize for any inconvenience this has caused you and NRC staff, and also appreciate the help that NRC staff has offered. The assistance of Ms. Molly Barkman, Ms. Rebecca Giitter, and Mr. Ivan Valenzuela was not only helpful, but it also implied that the NRC staff recognizes that the electronic-filing process is complex and time-consuming to learn – especially if the health of your team is not up to par.

Regarding the correspondence we received from NFS attorneys strongly opposing any extension of time, we find their protestations disingenuous since NFS knew their license would expire on July 31, 2009 but took no action until a month before the expiration date. And then, on August 7, 2009, the NRC sent a letter to NFS' Vice President-Safety and Regulatory stating "our acceptance review to date has identified deficiencies that prevent us from accepting the application for detailed review. However, your application must provide or reference the specific documents that demonstrate your compliance with the regulations." When we asked NRC staff if there was a time limit on their review of the license renewal application, we were told there is not. What is fair for the goose is not fair for the gander in this case.

Again, potential petitioners' regret that current health conditions prevent us from entering the petition process at this time, and thank you for your assistance and consideration.

Sincerely,

/s/ Linda C. Modica

Linda C. Modica
For Sierra Club Nuclear Issues Activist Team

/s/ Barbara O'Neal

Barbara O'Neal
For Erwin Citizens Awareness Network