

**PRM-70-9  
(75FR80730)**

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# PUBLIC SUBMISSION

**Docket:** NRC-2010-0372  
Francis Slakey - Nuclear Proliferation Assessments

**Comment On:** NRC-2010-0372-0003  
Francis Slakey on Behalf of the American Physical Society; Receipt of Petition for Rulemaking

**Document:** NRC-2010-0372-DRAFT-0022  
Comment on FR Doc # 2010-32242

## Submitter Information

**Name:** Maureen McCue  
**Address:**  
 3043 Eagle Ave. NW  
 Oxford, IA, 52322  
**Organization:** Physicians for Social Responsibility

## General Comment

I write in support of the American Physical Society's petition (Docket ID NRC-2010-0372) to change the Nuclear Regulatory Commission's rules to require Nuclear Proliferation Assessments as part of the NRC licensing process.

I support an amendment to regulations at subpart D of 10 CFR part 70, "Domestic Licensing of Special Nuclear Material," Sec. 70.22, to include the following language to be made part of an applicant's license application: Nuclear Proliferation Assessment. Each applicant for the license of an enrichment or reprocessing facility shall include an assessment of the proliferation risks that construction and operation of the proposed facility might pose. Such an assessment must be prepared in draft form and be required to be reviewed by NRC staff, recognized external experts and members of the public and that public comments be solicited and incorporated into a final version of the assessment.

New nuclear technologies, such as the proposed GE-Hitachi laser enrichment facility in North Carolina or new spent fuel reprocessing technologies for which licensing regulations are being developed, could pose unique and substantial proliferation risks. The Atomic Energy Act requires the NRC to deny licenses that would be "inimical to the common defense and security" of the United States. Therefore, the NRC must have the proper basis on which to make licensing determinations and is legally obligated to analyze the proliferation implications of these new technologies within a revised licensing process.

Technologies that are developed by the U.S. are of interest to others. If successful, the laser isotope technology and other technologies will be prone to spreading. It is thus essential that a proliferation assessment be prepared before a technology is licensed, rather than waiting to deal with a situation where the technology may proliferate due to commercial demands or because of clandestine use.

Please, accept the APS petition. Thank you



## Rulemaking Comments

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**From:** Gallagher, Carol  
**Sent:** Tuesday, March 01, 2011 12:58 PM  
**To:** Rulemaking Comments  
**Subject:** Comment letter on PRM-70-9  
**Attachments:** NRC-2010-0372-DRAFT-0022.pdf

Van,

Attached for docketing is a comment letter from Maureen McCue on the above noted PRM (75 FR 80730) that I received via the regulations.gov website on 3/01/11.

Carol

Received: from HQCLSTR01.nrc.gov ([148.184.44.76]) by TWMS01.nrc.gov  
([148.184.200.145]) with mapi; Tue, 1 Mar 2011 12:58:29 -0500  
Content-Type: application/ms-tnef; name="winmail.dat"  
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To: Rulemaking Comments <Rulemaking.Comments@nrc.gov>  
Date: Tue, 1 Mar 2011 12:58:28 -0500  
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