

June 13, 2013

The Honorable Jim Gerlach
United States House of Representatives
Washington, DC 20515

Dear Congressman Gerlach:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to a May 13, 2013 email from Greg Francis of your staff. He forwarded a copy of a May 10, 2013, email from Michael Moyer outlining a number of concerns with a then-planned May 23rd NRC public meeting regarding the draft supplemental environmental impact statement (DSEIS) for the license renewal of Limerick Generating Station, Units 1 and 2.

Consistent with the NRC Policy Statement on Enhancing Public Participation in NRC Meetings, the agency provided public notice of this meeting on the NRC's public website on May 3, 2013 and in the *Federal Register* on May 7, 2013. That notice indicated there would be two identical two-hour Category 3 meetings on May 23rd, one in the afternoon and one in the evening. At Category 3 meetings, the public is invited to participate by providing comments and asking questions throughout the meeting. The notice also stated that both meetings would be preceded by an informal one-hour open house to provide members of the public with an opportunity to talk informally one-on-one with NRC staff. While the purpose of these meetings was to meet with the public and receive comments, this was not the last opportunity the public had to comment. When the NRC made the DSEIS first available to the public in April 2013, the agency indicated that it would accept public comments through June 27, 2013.

Mr. Moyer makes a specific assertion in his email that a recent U.S. Court of Appeals decision on the NRC's waste confidence decision and rule means no final public hearing on the DSEIS can be held. That is not correct. In August 2012, the Commission issued an order directing the NRC staff to continue to work on licensing activities, but not to issue licenses dependent on the waste confidence rule until the court's remand is appropriately addressed. The order specifically states that "this determination extends just to *final* license issuance; all licensing reviews and proceedings should continue to move forward." If the agency's efforts to address the court's concerns result in anything that affects the Limerick final SEIS, please be assured that the agency will supplement the SEIS and seek public input, as appropriate.

At the meetings on May 23rd, the NRC staff gave a 20 minute presentation that addressed the staff's preliminary findings of the environmental review, how the waste confidence decision rulemaking impacts the environmental review for the Limerick license renewal, the current schedule for the remainder of the environmental review, and how the public can submit comments outside of the meetings.

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After the staff's presentation, interested individuals and organizations had an opportunity to speak and provide comments on the draft report. Approximately 40 people attended each session and approximately 13 people signed up to speak at each session. Everyone who requested to speak was given an opportunity to speak during the meetings.

I hope this adequately addresses your concerns. If you have any questions, please contact me or Rebecca Schmidt, Director of the Office of Congressional Affairs, at (301) 415-1776.

Sincerely,

/RA Michael R. Johnson for/

R. W. Borchardt
Executive Director
For Operations

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