

PO Box 4  
Plymouth, VT 05056  
June 3, 2013

5/17/2013  
78 FR 26662

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Cindy Bladey  
Chief, Rules, Announcements, and Directives Branch (RADB)  
Office of Administration  
TWB-05-B01  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

RE: Docket ID NRC-2013-0063  
Entergy Nuclear Operations Inc.,  
Indian Point Nuclear Generating Unit 3

Dear Ms Bladey:

**The fire safety exemption should not be granted.**

- NRC violates the Appendix R Defense in Depth by considering this fire safety exemption
- NRC produced unlawful Environmental Assessment (EA) and Finding Of No Significant Impact (FONSI) analysis
- NRC must comply with NEPA requirements regarding foreseeable terrorist acts

**The Environmental Assessment and Finding Of No Significant Impact are completely silent about the ways in which the exemption makes a terrorist attack more likely and make the consequences of a terrorist attack much worse. THE EXEMPTION'S RELIANCE ON MANUAL FIRE SUPPRESSION AND ADMINISTRATIVE CONTROLS WILL MAKE A TERRORIST ATTACK MORE LIKELY AND MORE DESTRUCTIVE.**

**When it originally approved the exemption in 2007 the NRC considered only 11 documents in its possession that analyze its**

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SUNSI Review Complete  
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Add= D. Pickett (dvp1)

**safety and health impacts. There are dozens and dozens of other such documents that show how dangerous and unnecessary the exemption is. THE NRC MUST CONSIDER ALL THE EVIDENCE AND DOCUMENTS IT HAS THAT RAISE QUESTIONS ABOUT OR SHOW THE EXEMPTION IS DANGEROUS.**

**Sincerely,**

A handwritten signature in black ink, appearing to read 'Robert L. Fishman', with a long horizontal flourish extending to the right.

**Robert L. Fishman**