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NRC Assessment of Foreign Ownership, Control, or Domination of Commercial Nuclear Power Plants

Comment On: NRC-2013-0107-0001

Staff Requirements - SECY-12-0168 - Calvert Cliffs 3 Nuclear Project, LLC and UniStar Nuclear Operating Services, LLC (Calvert Cliffs Nuclear Power Plant, Unit 3), Petition for Review of LBP-12-19

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General Comment

The AREVA chapters of the North American Young Generation in Nuclear (NAYGN) support a reevaluation of the regulations regarding foreign ownership, control, and domination (FOCD) and appreciate the opportunity to provide comments. NAYGN is an international organization of young professionals in the nuclear industry with chapters across the country. We are interested in this topic because of the large potential this has for our future and the industry here in the United States.

We concur with the recommendations and comments submitted by the Nuclear Energy Institute (NEI). The NRC determinations on FOCD issues should be changed to allow U.S. companies, which are owned by foreign entities, to participate and invest in the American nuclear industry. Indirect foreign ownership should be judged on the country of origin and their ability to comply with international safety standards and proliferation safeguards.

The intent of the Atomic Energy Act (AEA) is to allow for the safe, peaceful use of nuclear power for the benefit of the general population. We work in a different era, with an evolved geopolitical landscape, that allows the FOCD rules to be interpreted differently than they were during the Cold War. Nuclear energy is harnessed safely and securely by many allies of the United States and the nuclear technology supply chain is globalized, with many multinational companies servicing and supplying the U.S. nuclear fleet as well as creating American jobs.

As the new generation of professionals in the globalized nuclear industry working for a foreign owned U.S. corporation that supplies services to the U.S. nuclear fleet, the rigid objections to 100% indirect foreign

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ownership seem illogical. We approach our tasks every day with a singular focus on nuclear safety and providing the best solutions for our customers in the United States and abroad. As far as we are concerned, we are Americans working for American plants to American safety standards; the fact that the company that employs us is foreign owned is nothing but an afterthought, and certainly doesn't affect our work. Wider FOCD determinations will not absolve a plant from the rules and regulations set forth by the NRC, meaning the high standards which we hold for our plants today will continue.

Calvert Cliffs Unit 3 (CCL3) is a great example of how a narrow and hyper-literal interpretation of the FOCD language in the AEA is stifling the potential for new nuclear generating capacity in this country. Many of us have done work on the licensing of the U.S. EPR reactor here in the United States and detailed design work for CCL3 Combined License (COL). Denying the COL application to Baltimore-based Unistar Nuclear Operating Services LLC, indirectly owned by the French nuclear utility EDF, due to FOCD issues has put our future in jeopardy, despite EDF's indirect ownership of the plant posing no real risk to national security or nuclear safety.

The interpretation of the law should be given careful consideration and considerable thought. Responsibility and accountability should be insured to the greatest extent. Safety shall remain the utmost priority of the NRC and the licensees, as well as ensuring strong enforcement of international non-proliferation safeguards.