

NORTHEAST UTILITIES



THE CONNECTICUT LIGHT AND POWER COMPANY
THE HARTFORD ELECTRIC LIGHT COMPANY
WESTERN MASSACHUSETTS ELECTRIC COMPANY
NEW YORK WATER POWER COMPANY
NORTHEAST UTILITIES SERVICE COMPANY
NORTHEAST NUCLEAR ENERGY COMPANY

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June 16, 1980

Docket Nos. 50-213
50-245
50-336
B10023



Secretary of the Commission
Attn: Docketing and Service Branch
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Reference: (1) Federal Register, Volume 45, No. 76, Pages 26071 - 26072.

Gentlemen:

Haddam Neck Plant
Millstone Nuclear Power Station, Unit Nos. 1 and 2
Comments on Petition for Rulemaking Filed By
Citizens Advisory Board of the Metropolitan
Area Planning Agency
Docket No. PRM-?-10

In Reference (1), the NRC Staff published for public comment a petition for rulemaking filed by the Citizens Advisory Board of the Metropolitan Area Planning Agency requesting amendments to 10CFR Part 2, "Rules of Practice for Domestic Licensing Proceedings".

Northeast Utilities Service Company (NUSCO), as agent for The Connecticut Light and Power Company, The Hartford Electric Light Company, Western Massachusetts Electric Company, Northeast Nuclear Energy Company, and Connecticut Yankee Atomic Power Company, all of whom are owners or licensees of operating nuclear power plants, hereby submits the following comments.

We are in opposition to the request of the Citizens Advisory Board of the Metropolitan Area Planning Agency to require modifications to 10CFR Part 2. The suggested modifications would, in general, add a substantial additional burden to an already complex and time consuming licensing process without any attendant benefit in making the procedure more effective or, as is the goal, making the plant subject to that proceeding, a safer plant. Further, there is no evidence that present procedures do not permit interested persons to be fully informed of, and have reasonable access to, licensing proceedings such as would warrant the changes suggested by the petitioner.

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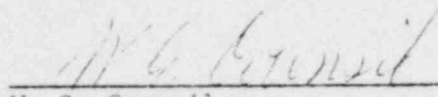
- I. The petitioner has proposed pre-notification procedures by publication if a hearing is requested by five or more persons. The establishment of such a nominal threshold, and with no requirement to specify an issue in contention, would likely result in a substantial increase in the time and cost required to conduct any license amendment proceeding, whether a substantive issue is involved or not. The proposal that five persons may demand a formal hearing will also result in substantial increases in resource and economic costs and the time required to conduct a proceeding, as would the suggested changes in the conduct and reporting of informal public hearings.
- II. Broadening the ability of any person to request a formal hearing, without being required to qualify as an intervenor by specifying items in contention, will accomplish little but to further burden the process. The proposed grounds for requesting a formal hearing are so general that they invite litigation as to the denial of any request, and a substantially more labored process will result if requests become routinely granted.
- III. Present licensing procedures allow interested members of the public to contribute their comments and opinions but otherwise preclude their participation absent a showing that their participation will further the goals of the proceeding. Establishing the much broader grounds for participation as suggested by the petitioner will lead to substantial commitments of time and resources on the part of all other parties to the proceeding. The petitioners' proposal would also impose a substantial administrative burden on the Secretary without any evidence that such a burden would be in the broadly defined public interest, as opposed to the interests of a few parties who may have a special interest to expound upon, but nothing of substance to offer to the licensing proceeding.
- IV. The requirement that all hearings, meetings, conferences, and any other discussions between any individual and a member of the Commission's Staff be public would clearly frustrate the present process which at least fosters an open discussion and resolution of complex technical issues. The additional requirement that all such meetings be held in proximity to the facility concerned will result in substantial inefficiencies and costs associated with providing staff support.

Present regulations, with their proper interpretation and implementation by Commission personnel, provide substantial opportunities for parties affected by any licensing action to participate to varying degrees as they might be affected. The petitioners' proposals would add substantially to the cost, complexity, and administrative burden of these proceedings without evidence of any benefit which might result through the participation of a great many more people to a potentially much larger degree in every aspect of a licensing proceeding. The Nuclear Regulatory Commission is charged by law with an obligation to regulate

the use of nuclear power in the public interest so as to insure that the public health and safety is at all times protected. Approval of petitioners' proposals would constitute recognition by the Commission that it is unable or unwilling to fulfill its responsibilities without substantial input of members of the lay public at any, and potentially every, stage of a licensing process.

Very truly yours,

NORTHEAST UTILITIES SERVICE COMPANY

A handwritten signature in dark ink, appearing to read "W. G. Council", is written over a horizontal line.

W. G. Council
Senior Vice President