



Westinghouse
Electric Corporation

Water Reactor
Divisions

June 16, 1980

Box 355
Pittsburgh Pennsylvania 15230

DOCKET NUMBER

PETITION RULE PRM-2-10 (6)
(45 FR 26071)

U.S. Nuclear Regulatory Commission
Office of the Secretary of the Commission
Washington, D.C. 20555

ATTENTION: Docketing and Service Branch

Gentlemen:

Subject: Filing of Petition for Rulemaking,
Citizens Advisory Board of the Metropolitan
Area Planning Agency.



By notice published in the Federal Register dated April 17, 1980, the Nuclear Regulatory Commission published for comment a petition for rulemaking on behalf of the Citizens Advisory Board of the Metropolitan Area Planning Agency which would require an informal public hearing in every instance of issuance, amendment, modification, suspension or revocation of a facility operating license.

The Westinghouse Electric Corporation has reviewed the aforementioned petition and recommends that the NRC deny the request for change. A "hearing", such as that proposed by the petitioner, should be necessary only in those cases where a licensing or regulatory action requires an environmental assessment. For fuel fabrication facilities, these cases are to include (Re: Federal Register/Vol. 45, No. 43/Monday, March 3, 1980/Pgs. 13739-13766):

- ° A license for possession and use of special nuclear material for processing, fuel fabrication, scrap recovery, or conversion of uranium hexafluoride, pursuant to Part 70 of Title 10, Code of Federal Regulations;
- ° Issuance of an amendment (to such a license) that would result in:
 - °° A significant expansion of a site;
 - °° A significant change in the types of effluents;
 - °° A significant increase in the amounts of effluents;
 - °° A significant increase in occupational exposures;
 - or,
 - °° A significant increase in the potential for accidental releases.

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Acknowledged by card. 6/19/80. mdv...

If such proposed action is determined to have substantial impact, an Environmental Impact Statement is to be written. The scoping process for an Environmental Impact Statement then begins [51.28(a)(5)] "any person who requests an opportunity to participate in the scoping process" is given opportunity to air specific concerns.

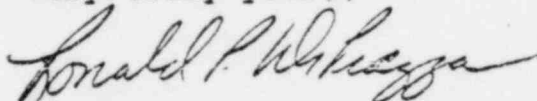
Therefore, it would appear that the petitioner's concerns will be adequately addressed by current regulatory plans; and, that to grant this petition would be contrary to the "three principal aims" of the President's Council on Environmental Quality (Re: Federal Register/Vol. 43, No. 230/Wednesday, November 29, 1978/Part VI) to:

- Reduce paperwork,
- Reduce delays, and
- Produce better decisions.

Thank you for the opportunity to comment on the petition for rulemaking. We hope that you will give these comments serious consideration.

If you have any questions regarding this matter, please write me at the above address or telephone me on (412) 373-4650.

Very truly yours,



Ronald P. DiPiazza, Manager
Licensing Administration

RPD/rk