



# Department of Natural Resources

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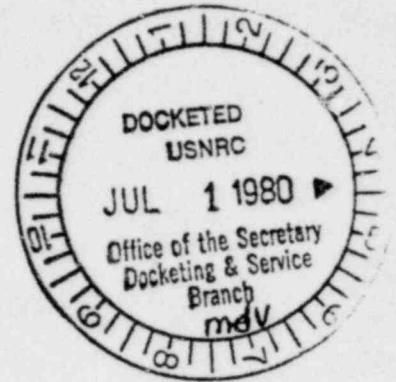
Joe B. Tanner  
COMMISSIONER

DOCKET NUMBER

PROPOSED RULE

PR-51 (26)  
(45 FR 24168)

June 27, 1980



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

Attn: Docketing and Service Branch

Dear Secretary:

The Georgia Department of Natural Resources has reviewed the rule proposed for "Licensing and Regulatory Policy and Procedures for Environmental Protection; Alternative Site Reviews" (10 CFR Part 51) as published in the April 9 Federal Register (Volume 45, Number 70). The Department recognizes that our comments are past the due date but respectfully requests their serious consideration by the Commission.

The Department supports that proposed requirement that applicants provide Commission staff with a notice of intent to tender an application for a construction permit for a nuclear power plant at least three months prior to submitting the construction permit application. The rationale presented in the Federal Register is to assure that potential public participants would have sufficient lead time to prepare meaningful input to the licensing process pursuant to the Commission's publication of the "intent to apply" in the Federal Register and in local newspapers. The Department suggests that it would be helpful to both the Commission and State agencies to also provide a notice to the affected State's Clearinghouse since the proposed rule does not include any mechanism to also provide State agencies with adequate lead time. By a single notice to the relevant State Clearinghouses, the Commission can be assured that those State agencies with comment or regulatory responsibilities will receive the same advance-information courtesy. Further, the State Clearinghouse process can be utilized to provide the Commission with a coordinated State position reflective of all State agency and the Governor's concerns. Use of this suggested process, in our view, reduces duplicative effort and insures proper federal/state coordination.

Section VI of the proposed rule outlines criteria to be used as parameters in determining acceptability of candidate sites. The Department suggests that the Commission review the regulations of the Advisory Council on Historic Preservation, 36 CFR 800, since the "National Historic Preservation Act" and these implementing rules require that federal agencies not only consider potential impacts to cultural resources on the National Register but also impacts to cultural resources that are eligible for the Register. The referenced regulations outline a process for the determining of eligibility and provide a process for the determination of effect.

L-4-1, Pt. 51

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The Department appreciates the Commission's consideration of these recommendations. If any questions concerning the Department's comments surface, please contact me at 404/656-5162.

Sincerely,

*Barbara A. Hogan* <sub>rs</sub>

Barbara A. Hogan  
Comprehensive Review Coordinator

BAH:aa

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