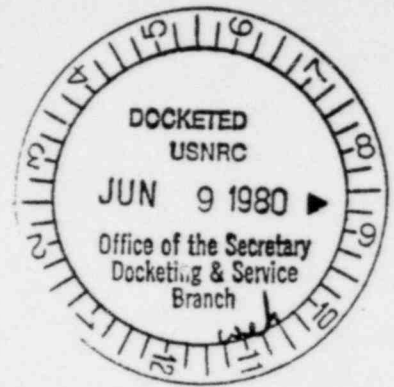


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July 1, 1980

DOCKET NUMBER

11

PETITION RULE PRM 2, 10

(45 FR 26071)

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

Att: Docketing and Service Branch

Subject: Proposed Amendments to 10 CFR Part 2
45 FR 26071

Dear Sir:

The Atomic Industrial Forum's Committee on Reactor Licensing and Safety has reviewed the subject proposed amendments requested in the petition for rulemaking filed on behalf of the Citizens Advisory Board of the Omaha, Nebraska - Council Bluffs, Iowa Metropolitan Area Planning Agency and requests that this petition be denied.

A requirement to conduct an informal public hearing in every instance of issuance, amendment or modification of a Facility Operating License would pose a significant deterrent to public health and safety by inhibiting expeditious improvements in facility design and/or operation and by diverting important technical resources to engage in unnecessary public hearing activity. Existing rules require that the NRC, prior to acting thereon, cause to be published in the Federal Register a notice of proposed action with respect to an application for: 1) a Facility Operating License, or 2) an amendment to a Facility Operating License which involves a significant hazards consideration (in cases where the NRC determines that there is no significant hazards consideration involved, the Commission may issue the amendment and then publish a notice in the Federal Register). Such existing rules are entirely adequate to ensure that members of the public are given full opportunity to request public hearings concerning Facility Operating Licenses.

In addition, permitting "all interested persons" to participate in a limited manner in all aspects of a proceeding would in effect allow any person to participate in any proceeding at any time and would, in our judgment, substantially degrade the effectiveness of the licensing process and thus significantly reduce the high levels of protection to the public health and safety that the present licensing process provides. Furthermore, existing rules governing formal intervention and limited appearances are more than sufficient to ensure that persons with genuine interests are given full opportunity to participate in a proceeding.

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Acknowledged by card 7-9-80

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July 1, 1980

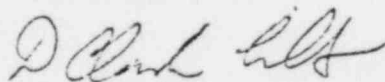
Finally, the proposed amendments require that "all informal proceedings, including meetings between the Commission staff and representatives of the licensee and/or representatives of consultants and/or vendors of the licensee" be:

- 1) "upon the request of any interested party . . . held at a site and time reasonably calculated to make some (sic) reasonably accessible to the majority of persons potentially affected by the action proposed"
and
- 2) noticed "sufficiently and in advance . . . as to allow time for such a request to be made, and such proceedings to be rescheduled if required".

Such requirements would result in significant delays in accomplishing necessary interactions between the NRC staff and the licensee and would thus make the licensing process even more cumbersome and costly than it already is, while providing no meaningful benefits to the health and safety of the public.

We thank you for the opportunity to comment on these proposed amendments and we would be pleased to answer any questions you may have on the above comments.

Sincerely,



D. C. Gibbs, Chairman
Committee on Reactor Licensing
and Safety

DCG/jph