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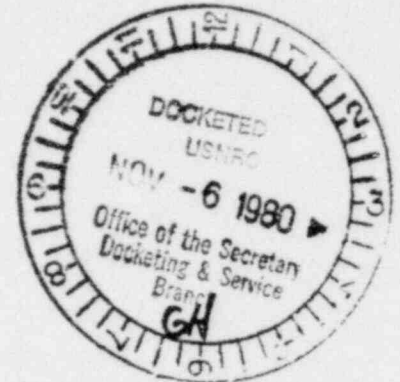
United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

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NOV 5 1980

DOCKET NUMBER PR50
PROPOSED RULE (45FR 65247)



Mr. Samuel J. Chilk
Secretary of the Commission
Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Chilk:

We have reviewed the proposed rulemaking for pending construction permit and manufacturing license applications and have the following comment.

It is not clear whether option 3, apparently favored by the Commission, could lead to the granting of new construction permits before the rulemaking on siting has become final. We believe that this would be undesirable; the design flexibility to be provided as a justification for proceeding with licensing before rulemaking is completed (p. 65247, col. 3, par. 3) simply does not apply to siting. We therefore recommend that option 2 be applied to siting and that no construction permits be issued until the applicable rulemaking on siting has become final.

We hope this comment will be helpful to you.

Sincerely,

James H. Rathlesberger
Special Assistant to
Assistant SECRETARY

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