

# sahci

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45-FR-66754

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STAN A. HUBER CONSULTANTS, INC. □ 215 ESSEX LANE □ NEW LENOX, ILLINOIS 60451 □ (815) 722-8009  
November 3, 1980

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

Re: NRC Notice to NRC Licensees, Public Officials and Other Interested Citizens, dated October 28, 1980, signed by Dudley Thompson, Director - Office of Enforcement and Investigations.

Action: Notice of public meetings concerning NRC enforcement policy.

Reference: 45FR69077 and 45FR66754, dated October 17 and October 7, 1980, respectively.

Gentlemen:

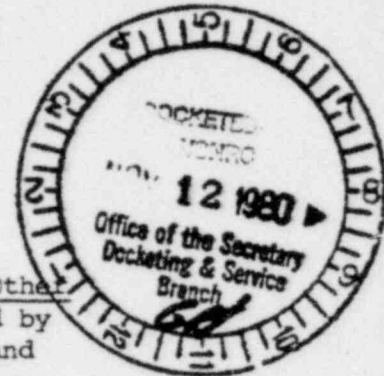
All of the above documents dated during October, 1980, apparently did not consider, or did not comply with the intent of, The Regulatory Flexibility Act of 1980 which was signed into law as P.L.96-354 by President Carter on September 19, 1980.

Under the provisions of the aforementioned legislation, federal agencies are required to:

1. Prepare "regulatory feasibility analyses" of proposed regulations before publishing them.
2. Develop less burdensome alternatives for small entities.
3. Review major regulations every 10 years in order to determine whether they can be revised to minimize the impact on small entities.
4. Publish semi-annual agendas of proposed regulations so that small entities can have the time and opportunity to comment on them.

None of the NRC documents referenced in the heading of this letter indicated:

1. That a "regulatory feasibility analysis" had been performed or made any mention of such an analysis.
2. There was no definition of what the NRC would consider a small entity or what alternatives exist.
3. Although it was indicated these regulations were important and of a major nature, there was no mention about the 10 year review policy.



Acknowledged by card... 11/12/80

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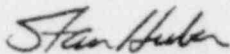
4. The proposed regulations were obviously not published in any semi-annual agenda so that small entities can have the time and opportunity to comment on them.

Under the proposed NRC meetings schedule, to be completed barely 6 weeks after the public has received the notice of intended major policies, there is hardly enough time for anyone to reasonably respond.

Based on the Regulatory Flexibility Act of 1980, I urge the NRC to postpone its planned schedule of meetings for at least six (6) months and to reconsider its proposed policies to include the provisions of this new law.

Thank you.

Sincerely,

  
Stan A. Huber  
President

SAH:jmk