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DOCKET NUMBER **PR-Misc Notice**
PROPOSED RULE **(47 FR 24044)**

23

July 12, 1982

Chairman
Regulatory Reform Task Force
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Proposed legislation, Nuclear
Standardization Act of 1982;
47 Fed. Reg. 24044 (June 2, 1982)

Dear Sir:

We are opposed to the draft Nuclear Standardization Act of 1982 for the following reasons:

1. The Act jeopardizes the public's right to an evidentiary hearing before a construction permit or operating license is issued. Interested States and intervenors often bring to the attention of the NRC critical safety issues that would not be brought out if the public is excluded. Many times they accomplish this through cross-examination of expert witnesses who are under oath. The NRC therefore should take steps to encourage public participation in evidentiary hearings rather than seek ways of limiting such participation, or of substituting hearings where cross-examination is not permitted.

2. Under the bill a standardized design could continue to be used even if safer designs are available. It is imperative, however, that the NRC require licensees to use the safest available design, and to backfit improvements into existing plants, so as to reduce as much as possible the potential hazards posed by the plants. It makes no sense whatever to permit the construction of a new plant with an inferior design.

*DS09
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Acknowledged by card... *7/19/82 mdy*

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