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

DOCKET NUMBER
PETITION RULE PRM-50-33

(47 FR 29252)

Re: PRM-50-33 (47 Fed. Reg. 829252, July 6, 1982)

OFFICE OF SECRETARY
DOCKETING & SERVICE

On July 6, 1982 the Commission published in the Federal Register a notice of receipt of a petition for rulemaking from the National Emergency Management Association. This petition for rulemaking would amend 10 CFR Part 50, Appendix E such that the frequency of emergency planning exercises would be decreased. The petitioner claims that the present requirements place too heavy a financial burden on state and local governments.

There is undoubtedly some truth to this claim. However, as the petitioner concedes, emergency drills and exercises do enhance emergency preparedness. These benefits of drills and exercises should not be sacrificed due to a possible lack of funding at some future date. The relief requested by the petitioners is an inappropriate response to this problem.

The solution to this problem lies in the recognition that emergency planning for nuclear facilities, while obviously providing protection for the public, also is a cost of doing business for the electric utilities operating nuclear power plants. It is only just and fair that the entities making profit from the facility (and introducing the special hazard into the community) be forced to bear the costs associated with making that profit. Thus, a more appropriate and logical response by the petitioner would be to propose a rule that requires licensees to pay all costs incurred by off-site agencies engaged in emergency planning for the facility. The present proposal, because it neglects this fundamental problem and degrades emergency preparedness, should be rejected.

Respectfully submitted,

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