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DOCKET NUMBER PR 50
PROPOSED RULE
(53 FR 16435)

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OFFICE OF THE
DOCKETING & SERVICE
BRANCH

William C. Parler, General Counsel
Office of General Counsel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Re: EMERGENCY PLANNING AND PREPAREDNESS REQUIREMENTS FOR
NUCLEAR POWER PLANT FUEL LOADING AND INITIAL LOW-POWER
OPERATIONS (PROPOSED RULE)
SECY-88-109

Dear Mr. Parler:

The Town of Hampton comments upon, and objects to, the proposed rule change on the following grounds:

1. The proposed rule is arbitrary, capricious and otherwise violates provisions of the Administrative Procedure Act since the rule would subject the public to unreasonable risk of harm by permitting low power operation, without means to notify the public in the event of emergency.

2. The proposed rule represents an improper use of the Commission's rulemaking authority to promote the licensing of a single nuclear plant. The proposed rule therefore is an unlawful use of the generic rulemaking process.

3. The proposed rule is further evidence of pervasive bias and prejudice by the Commission as it attempts to circumvent the regulatory framework established by the Atomic Energy Act and by the Commission's own regulations.

The Town of Hampton respectfully asks that the proposed rule be rejected.

Very truly yours,

TOWN OF HAMPTON
By Its Attorneys
SHAINES & MCEACHERN, P.A.


Matthew T. Brock

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