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**To:** OWFN\_DO.owf5\_po(SFC,FXC),OWFN\_DO.owf4\_po(JAZ)  
**Date:** Wed, Dec 1, 1999 3:13 PM  
**Subject:** Level Playing Field

Gentlemen:

Attachment 5 to an NRC meeting summary dated November 17, 1999 (meeting of the License Renewal Steering Committee) outlines the "License Renewal Appeals Process." The entry point is defined as "Stakeholder disagrees with NRC Staff position." [Stakeholder here really means applicant, since public stakeholders are confined to the license amendment intervention process.]

According to this outline, the applicant can appeal a disagreement to the NRC Branch Chief Level. If that don't work, the applicant can bump it to the NRC Division Level. If that still don't work, the applicant can appeal to the OEDO. If the applicant is still unappeased, the matter can be escalated to the Commission. That's four levels of appeal.

Contrast that appeal process to the one afforded the public via the 2.206 or allegation processes. The outline would be a blank page because the public has to take it or leave it. That's zero levels of appeal (or, not very appealing).

While there's much talk about level playing fields, I sense that the NRC plays an entirely different game with the licensees than with the public. As a former representative of licensees and current member of the public, I know from personal experience that the licensee's game is much, much better.

The NRC staff should not implement the "License Renewal Appeals Process" before it resolves the much, much older concerns about the 2.206/allegation processes.

Thanks,

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