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Rules and Directives Branch

Subject: Re: the new Regulatory Process is a CONTINUING sham
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GAO-RCFD 95-10 STX Nuclear Power Plants:

"According to NRC, it rarely detects major problems before its
licensees." Page 3.

I hear Commissioners:

The quote above is exactly the sentiments and information

expressed in hearings before the NRC; I censuring Boards and the

(Congressional investigators concerning the "Three Mile Island" accident."

This hide your head in the sand approach to regulation continues to this

day in the reactor oversight process, ROP. The ROP is a continuation of

the lack of enforcement and oversight that the NRC spouts out in the NRC

Inspection Manual,

"(A)ppropriate enforcement actions consistent with the NRC's Enforcement

Policy should (1) be taken."

"should" makes the enforcement policy a matter of convenience,

not necessary. I guess that means that if an action inconveniences a

licensee, the NRC need not perform that action. This lack of action

reflects what little the NRC has done at Salem, IP2, and SOHNS, recently,

and at other problem sites in the past.

Join with other commenters:

Both David Lechbaum and Scott Portzline have sent me copies of

their comments on ROP. I, respectfully, request that the NRC accept my

joining in their concerns. I agree wholeheartedly and fully with their

statements and sentiments. I wish to add my own comments with this

letter.

Regulation by edict without appropriate justification.

A consistent theme goes through the NRC regulatory actions:

Regulation by edict without appropriate justification.

I have often worked with NRCs such as neighborhood groups,

environmental groups, small government entities and private businesses.

Whenever the issue of elementary paperwork has surfaced, these

certifications, lot numbers, heat treatment specifications, and procedure

and lab manuals become 'proprietary to the licensee.' Without these very

elementary and originating documentations, anyone can say anything about

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anything and they do!

Any solution or prima causa which the licensee or NRC wishes to spot cannot be challenged. The only recourse is a long, drawn out, expensive court case which the intervenors have little chance of winning as the NRC staff lines up with the licensee.

I actually 'won' such a set up in the Lewis Contention before the TMI #2 Restoration Hearings before Judge Smith. Subsequently, and I suspect consequently, 10CFR 2.206 was changed to make a 'pro se' intervention near impossible.

So much for the public's right to know.

Conclusion:

KOP is just more of the same: a sham
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M Lewis
8 April 2001