

February 13, 2002

Ms. Jessica Weinberg  
Ohio Northern University  
402 W. College Ave., Unit 1689  
Ada, OH 45810

Dear Ms. Weinberg:

Thank you for your letter of November 5, 2001, providing comments on the Nuclear Regulatory Commission's (NRC) hearing procedures. The Chairman referred your letter to me for response. I apologize for the apparent lack of timeliness in responding to your letter, but, due to government-wide procedures for processing mail, it was only recently received by NRC.

In your letter, you urged NRC not to eliminate public hearings with respect to nuclear power plant licensing. As you may know, NRC proposed substantial changes to its hearing procedures in a notice of proposed rulemaking published in the Federal Register on April 16, 2001 (66 FR 19610). While the Commission has not approved the final rule, I can assure you that the proposed rule does not eliminate the opportunity for public hearings in nuclear power plant licensing proceedings. The Commission recognizes that the hearing process is important to ensuring public confidence in NRC's regulatory activities and that public participation in hearings has contributed to the identification and resolution of important safety issues. NRC's proposed rule is intended to make NRC's hearing process more effective and efficient by tailoring the hearing procedures to the types of licensing and regulatory activities which are the focus of the hearing. Hearings are costly to all participants - the NRC, the nuclear power plant applicant, and any member of the public who participates as a party. NRC's goal in revising the hearing procedures in Part 2 is to reduce the burden of litigation costs on all participants, while ensuring that the hearing process is fair and results in the proper resolution of all significant health, safety and environmental issues raised by the parties. With respect to your observation that NRC should do a better job of notifying the public of public hearings, I point out that the proposed rule discussed the Commission's proposal to expand public notice of proposed agency action and opportunity for hearings through notice on NRC's Website.

In closing, I wish to assure you that the Commission holds as its foremost goal the protection of the public health and safety and common defense and security.

Sincerely,

***RA by SAT***

Stuart A. Treby, Assistant General Counsel  
for Rulemaking & Fuel Cycle  
Office of the General Counsel

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\*Previously concurred

Sincerely,  
Stuart A. Treby, Assistant General Counsel  
for Rulemaking & Fuel Cycle  
Office of the General Counsel

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