

From: "Patrick Brown" <gatherstones@att.net>
To: "Chief, Rules Review and Directives Branch Michael Lesar" <mtl@nrc.gov>
Date: 11/2/02 6:33PM
Subject: Comments on LES

Patrick Brown
521 Upland Street
Pottstown, PA 19464

10/2/02
67FR61932
(94)

November 2, 2002

Chief, Rules Review and Directives Branch Lesar:

In response to the comment period announced in the Federal Register on October 2, 2002, I am writing to express my objection to NRC's proposal to consider the "white papers" submitted by Louisiana Energy Services (LES) that call on the NRC to restrict consideration of certain contentious issues in order to expedite the licensing process for the company's proposed uranium enrichment facility in Hartsville, Tennessee.

It is unacceptable that the NRC is even considering this effort by an intending license applicant to manipulate the licensing procedure in its favor.

The content of the white papers reveals that LES is seeking prejudgment on issue areas that have caused it trouble in the past, or on issues which are potentially problematic. The submission of these memoranda is an overt attempt on the part of LES to evade thorough public and government investigation in areas where the company knows itself to be vulnerable.

Furthermore, the specific issues raised by LES in the white papers are themselves problematic. To restrict or exempt full consideration of such weighty matters as the comparative environmental impact of a "no action" alternative, environmental justice, the consortium's financial qualifications, anti-trust concerns, foreign control and ownership issues, and the disposition of tailings, would reduce NRC's licensing procedure to a flimsy rubber-stamp and further erode public confidence in the agency as an effective regulator.

In addition to the specific impacts of this decision for the proposed project in Hartsville, I am also concerned about the dangerous precedent that would be set if the NRC allows LES to manipulate the licensing procedure in this way. It is highly improper for the NRC to allow a potential license applicant to define the parameters of licensing considerations, in effect, calling for prejudgment in their favor. This violates NRC's own licensing regulations, undermines even the pretense of objectivity in the agency's licensing activities, and calls into question the ability of the NRC Commissioners to be a dispassionate appeals body for Atomic Safety and Licensing Board actions.

I also request that the comment period on these white papers be extended to at least 90 days. The allotted 42 days is insufficient, if meaningful public participation is the goal, especially given the breadth of issues dealt with in the white papers, difficulties in accessing these documents, and the level of controversy surrounding the LES proposal.

Template = ADM - 013

E-IDS = ADM - 03
Call = T. Johnson (TCS)

I strenuously urge the NRC to reject the LES white papers.

Sincerely,

Patrick Brown

Mail Envelope Properties (3DC460D0.DCA : 22 : 64970)

Subject: Comments on LES
Creation Date: 11/2/02 6:33PM
From: "Patrick Brown" <gatherstones@att.net>

Created By: gatherstones@att.net

Recipients

nrc.gov
twf4_po.TWFN_DO
MTL (Michael Lesar)

Post Office
twf4_po.TWFN_DO

Route
nrc.gov

Files	Size	Date & Time
MESSAGE	2756	11/02/02 06:33PM
Mime.822	3559	

Options

Expiration Date: None
Priority: Standard
Reply Requested: No
Return Notification: None

Concealed Subject: No
Security: Standard