



PRM-51-10  
(71FR64169)

D. Hooper, Acting Chairman  
STARS Integrated Regulatory Affairs Group  
P.O. Box 411, Burlington, Kansas 66839

Ref: PRM-51-10

STARS-07001

DOCKETED  
USNRC

January 17, 2007

January 24, 2007 (4:01pm)

Ms. Annette L. Vietti-Cook  
Secretary, U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
ATTN: Rulemakings and Adjudications Staff

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

**STRATEGIC TEAMING AND RESOURCE SHARING (STARS)  
COMMENTS ON A PETITION FOR RULEMAKING FROM DIANE  
CURRAN ON BEHALF OF MASSACHUSETTS ATTORNEY GENERAL  
TO AMEND 10 CFR 51  
(71 FR 64169)**

Dear Ms. Cook:

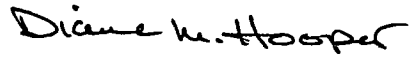
The Strategic Teaming and Resource Sharing (STARS)<sup>1</sup> nuclear power plants would like to take advantage of this opportunity to comment on a petition for rulemaking dated August 25, 2006, filed by Diane Curran on behalf of Massachusetts Attorney General (assigned Docket No. PRM-51-10 and published in 71 FR 64169 on November 1, 2006). The STARS plants have reviewed this request and do not believe the petitioner provides sufficient reason for pursuing rulemaking; therefore, the STARS plants recommend that the petition be denied in accordance with 10 CFR 2.803.

The STARS plants concur with the NRC's evaluation and conclusions documented in NUREG 1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants" that the environmental impact of high density wet storage in spent fuel pools is small and insignificant. The STARS plants do not agree with the petitioner's assertion that the NRC's regulations and past licensing decisions should be revoked and that all future NRC licensing decisions regarding high density spent fuel storage require an environmental impact statement. The current regulatory requirements and experience with on-site storage of spent fuel in fuel pools have shown the environmental impact is small. In addition, the STARS plants endorse the comments provided by the Nuclear Energy Institute (NEI) regarding this petition for rulemaking.

<sup>1</sup> STARS is an alliance of six plants (eleven nuclear units) operated by TXU Power, AmerenUE, Wolf Creek Nuclear Operating Corporation, Pacific Gas and Electric Company, STP Nuclear Operating Company and Arizona Public Service Company.

The STARS plants appreciate the opportunity to comment on this petition for rulemaking. If there are any questions regarding these comments, please contact me at 620-364-4041, or dihooper@wcnoc.com, or Duane Kanitz at 623-393-5427, or duane.kanitz@aps.com.

Sincerely,

A handwritten signature in black ink that reads "Diane M. Hooper". The signature is written in a cursive, flowing style.

D. Hooper, Acting Chairman  
STARS Integrated Regulatory Affairs Group