

June 18, 2012 (8:45 am)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

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June 15, 2012

Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Attention: Rulemakings and Adjudications Staff

Subject: Advance Notice of Proposed Rulemaking (ANPR) – Onsite Emergency  
Response Capabilities: 10 CFR Parts 50 and 52 (Docket ID NRC-2012-0031)

The Decommissioning Plant Coalition (DPC)<sup>1</sup> appreciates the opportunity to provide comments regarding the NRC's Advance Notice of Proposed Rulemaking: "Onsite Emergency Response Capabilities" (Docket ID NRC-2012-0031). The NRC is proposing to amend its regulations to strengthen and integrate onsite emergency response capabilities. It is the position of the DPC that this ANPR and subsequent rulemaking is not applicable to 10 CFR Part 50 and 10 CFR Part 72 licensed Independent Spent Fuel Storage Installation (ISFSI) sites.

This proposed rulemaking would amend the current onsite emergency response capability requirements and is intended to apply new requirements to operating licensed power reactors. The ANPR focuses on the effectiveness of accident mitigating procedures and the training and exercises associated with these procedures.

Since none of our facilities have operating reactors to which this proposed rule would apply, the scope of this rulemaking is not applicable to decommissioned nuclear power plant sites with 10 CFR Part 50 and 72 licenses that are restricted

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<sup>1</sup> The Decommissioning Plant Coalition was established in 2001 to highlight issues unique to nuclear power plants undergoing decommissioning. The DPC is focused on addressing the needs of single-unit sites that are undergoing or have completed decommissioning activities. Members of the Decommissioning Plant Coalition include the Big Rock, Connecticut Yankee, LaCrosse, Maine Yankee, Rancho Seco, and Yankee Rowe facilities.

solely to the storage of spent nuclear fuel awaiting removal by the federal government in accordance with the Nuclear Waste Policy Act of 1982, as amended. Accordingly, we urge the Commission to include a specific statement in the future development of this rulemaking that it does not apply to holders of an operating license under 10 CFR Part 50 who have permanently ceased operation and have certified that fuel has been permanently removed from the reactor vessel.

Sincerely,

/S/

Michael S. Callahan  
On behalf of the Decommissioning Plant Coalition

## **Rulemaking Comments**

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**From:** Michael Callahan [michaelscallahan@mac.com]  
**Sent:** Sunday, June 17, 2012 12:40 PM  
**To:** Rulemaking Comments  
**Subject:** Comments re ANPR - Onsite Emergency Response Capabilities  
**Attachments:** DPC Comment Letter on NRC Onsite Emergency Response ANPR.docx

Please find attached comments from the Decommissioning Plant Coalition on the subject ANPR.

The original signature copy is being mailed.

Please call with any questions,

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