



DOCKET NUMBER

PROPOSED RULE

(50 FR 20889)

PR-9

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DOCKETED

THE CONSERVATION COUNCIL OF NORTH CAROLINA

307 Granville Road, Chapel Hill, N.C. 27514

(919) 942-7935 or 942-1080 (24 hours)

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June 20, 1985
OFFICE OF
DOCKETING & SERVICE
BRANCH

Secretary of the Commission
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555
Attention: Docketing and Service

Re: Proposed changes to Sunshine Act Rules
50 Fed Reg 20889 (May 21, 1985)

Dear Sirs:

The Conservation Council opposes the new interim rule which changes definitions of "meetings" under the Sunshine Act and as such urges the Commission to promptly withdraw the rule.

The Conservation Council has intervened in both construction permits and operating licenses since the early 1970's. One recurrent problem we have faced is access to Commission and NRC staff deliberations--these often contain crucial information we need in litigating various contentions about plant safety. The interim rule restricts the quantity of NRC meetings which fall into the sunshine and which we will have access to or even a transcript from.

We fail to see any justification for this rule--official business needs to be discussed before the public. There are already many exemptions to the open meeting requirement and to add additional ones seems to go clearly against the intent and policy of the Sunshine Act.

We are also concerned that this rule was promulgated without any public comment. There is a place for quick rulemaking if public health or welfare is imminently threatened but this surely is not the case.

In conclusion, we agree with the concerns raised by Commissioner Asselstine in his separate opinion on this matter at 50 Fed Reg 20892. We urge the Commission to re-evaluate its position in favor of the public need to find out what NRC policy is.

Sincerely,

John Runkle

John Runkle
General Counsel

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Acknowledged by card.....

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add. Peter Crane, H-1035
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