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RCDeYoung	RSBoyd

March 31, 1976

Docket Nos. 50-247
and 50-286

Honorable Benjamin A. Gilman
House of Representatives

Dear Mr. Gilman:

Your letter of February 20, 1976 tothe Energy Research and Development Administration has been referred to the Nuclear Regulatory Commission (NRC) for reply. Your letter referred to the recent charges on nuclear safety made by Robert Pollard and the engineers who resigned from the General Electric Company. You also referenced the petition filed by the New York Public Interest Research Group regarding emergency plans for the Indian Point plants.

Chairman Anders, the Commissioners and the NRC staff have spent a considerable amount of time investigating the merit of the allegations regarding nuclear safety in great detail. As you are aware, the Joint Committee on Atomic Energy (JCAE) has held extensive hearings into this matter. Let me assure you that the Nuclear Regulatory Commission would not permit the commencement of the operation or continued operation of Indian Point Units 2 or 3 or any other reactor, unless and until we are satisfied that the plants can be operated safely. This is the paramount Commission responsibility. As is evidenced by our denial of further operation at Indian Point Unit 1 until safety improvements are completed, we are not hesitant to prevent operation of any nuclear plant that does not meet our tough safety requirements.

The technical items enumerated by Mr. Pollard are not new. They are topics that have been reviewed by the NRC staff and the statutory Advisory Committee on Reactor Safeguards (ACRS). Even so, in light of Mr. Pollard's allegations and the seriousness with which we pursue all allegations concerning nuclear safety, the NRC staff has reexamined all of these topics to assure that adequate protection is provided for

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the health and safety of the public at Indian Point Units 2 and 3. To this end, a special Task Group was formed to review all technical subjects specified by Mr. Pollard. The work of this task group has in turn been reviewed carefully by senior NRC management. In addition, the ACRS has been requested to make an independent examination of these matters. The report by the Task Group is completed and concludes that adequate consideration has been given to each of the technical subjects specified by Mr. Pollard. To provide you with the detailed bases for this conclusion and to indicate the depth of our investigation, I am pleased to provide you with a copy of the Task Group's report and a copy of testimony presented at the JCAE hearings on March 2, 1976, along with other material presented to the JCAE for inclusion into the hearing record.

We also held discussions with Messrs. Bridenbaugh, Hubbard, and Minor to assess the safety significance of their specific safety concerns. We concluded that their concerns were also being given adequate consideration in the regulatory process. The enclosed JCAE testimony includes our response to the issues raised by the three ex-General Electric Company employees.

With respect to the charges by the New York State Public Interest Research Group, we received a petition, dated February 6, 1976 from the Public Interest Research Group and the New York Public Interest Research Group. The petition requested an Order to Show Cause be issued to Consolidated Edison Company of New York, Inc. and the Power Authority of the State of New York for violations of Commission regulations concerning emergency planning for nuclear reactors at the Indian Point site. We are currently reviewing the petition and will take appropriate actions within a reasonable time.

We hope that this information is responsive to your concerns.

Sincerely,

William J. Dircks
Assistant Executive Director
for Operations

Enclosures:
See next page

	DPM/LWR #5	ELD	DPM/LWR/AD	OCA
	DBVassallo		RCDeYoung	
	03/23/76	03/19/76	03/23/76	3/31/76

OFFICE	DPM/LWR #5	DPM	DOR/AD/OT	ONRR/ADCO	ONRR	EDO
SURNAME	JLee:pav	RSBoyd	DEisenhut	EGCase	BCRusche	LVGos
DATE	03/16/76	03/25/76	03/23/76	03/26/76	03/29/76	03/30/76

Enclosures:
1. Statements Before the Joint Committee on Atomic Energy - March 2, 1976
2. NRC Staff Report on Technical Issues Raised by R. D. Pollard
3. NRC Inspector and Auditor Summary Report on Allegations by R. D. Pollard
4. NRC Staff Report on Technical Issues Raised by D. G. Bridenbaugh, R. B. Hubbard, and G. C. Minor
5. NRC Staff Report on Other Issues Raised by R. D. Pollard, D. G. Bridenbaugh, R. B. Hubbard, and G. C. Minor

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Representative in Congress
24 Roberts Street
Middletown, New York 10940

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