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NINETY-SIXTH CONGRESS

Congress of the United States

House of Representatives

ENVIRONMENT, ENERGY, AND NATURAL RESOURCES
SUBCOMMITTEE

OF THE
COMMITTEE ON GOVERNMENT OPERATIONS
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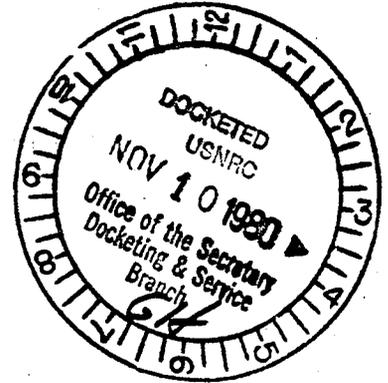
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November 5, 1980



The Honorable John F. Ahearne
Chairman
Nuclear Regulatory Commission
1717 H Street, Northwest
Washington, D. C. 20555

DOCKET NUMBER
PROD. & UTIL. FAC..

50-247/286

Dear Chairman Ahearne:

I am gratified that the Commission is today taking appropriate steps to ascertain the facts surrounding the major water leakage into the containment of the Indian Point 2 nuclear facility operated by Consolidated Edison.

As you know, the continued operation of reactors at the Indian Point site has been a matter of strong concern for me and many other citizens for some time, given the inherent problems of emergency response in a heavily-populated site. The preliminary press accounts suggest that the water problem resulted from a series of equipment malfunctions and human misjudgments that are disturbingly reminiscent of the utility mismanagement in the Three Mile Island accident of March 1979.

Most significantly, the reported effort of the utility to restart the reactor apparently without adequate efforts to ascertain the true physical state of the reactor vessel raises fundamental questions about the commitment of Consolidated Edison to safe operation of this reactor.

I therefore urge you in the strongest possible terms to see to it that the NRC investigation of the events of recent days at Indian Point are fully investigated, including a direct consideration of the question whether Consolidated Edison's license to operate this facility should be suspended or revoked. I emphasize that I am not prejudging the facts. Nevertheless, should your investigation demonstrate that Consolidated Edison in fact attempted to operate its reactor without taking adequate steps to discover the physical state of the reactor vessel, then I submit that the NRC must, under its statutory responsibilities, address the issue of Consolidated Edison's fitness to retain an operating license.

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The Honorable John F. Ahearne
November 5, 1980
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In this regard, I remind you of the conclusions in the report recently issued by the full Government Operations Committee entitled "Evaluating Nuclear Utilities' Performance: Nuclear Regulatory Commission Oversight." In that report, as you know, the Committee concluded that "In order to ensure a higher level of performance by the industry...it will be necessary for the Commission to convince the industry and the public that it is in fact possible that in cases of broad managerial failures indicating a lack of competence to operate a nuclear facility, the NRC will actually revoke or deny a license."

This Subcommittee will continue its strong oversight interest in the conduct of your investigation into these matters. I look forward to hearing from you regarding the findings of your inquiry.

Yours very truly,

Toby Moffett

TOBY MOFFETT
Chairman

TM:bhg