

April 29, 1974

William E. Garner, Esq.
Route 4, Box 354
Scottsboro, Alabama 35768

In the Matter of Tennessee Valley Authority
(Bellefonte Nuclear Plant, Units 1 and 2)
Docket Nos. 50-438 and 50-439

Dear Mr. Garner:

I have just received your tenth list of questions which now number 117 in the above-captioned proceeding. We are in the process of preparing responses, but I wanted to advise you at the earliest possible date that we do not intend to answer question no. 1 and no. 3 in your letter dated April 20, 1974.

Question no. 1 reads as follows:

"1. As you know, you did not prepare a Draft Environmental Statement or a Final Environmental Statement for the Applicant's Brown's Ferry, Watts Bar and Sequoyah Plants. The AEC participation in the TVA's statements for these plants consisted of letters and comments that are found in the TVA's statements in regard to the named plants. By letter, by comment, and by paragraph, sentence, clause and phrase, if necessary, give the name, title, education and experience of the AEC personnel who prepared the AEC participation in these statements."

No connection is shown between this question and any of the 15 contentions in the Bellefonte proceeding.

Question no. 3 reads as follows:

"3. Attached hereto, and made a part hereof, the same as if contained herein, will be found a copy of a New York Times News Service story that moved on December 11, 1973. Please discuss in detail, attaching to your answer, where necessary,

J. E. Garner
TVA

copies of memorandums, etc., all of the pressures that were applied by you to get Nixon to shift authority for setting radiation standards from the Environmental Protection Agency to you. Respond to Charles L. Elkins' charge that AEC standards are not adequate. Respond to the Ford Foundation's Energy Policy Project's charge that the White House had once again succumbed to pressure from power company lobbyists."

This question is clearly outside the scope of the Bellefonte proceeding.

In your letter of April 16, 1974, you expressed a desire to talk with Chairman Ray. Since the Commission may ultimately review the initial decision in Bellefonte, I am sure you will understand that it would be inappropriate for Commissioner Ray to become involved in this proceeding. As you know, we plan to appear in Scottsboro, Alabama, on Thursday, May 9, 1974, with several members of the staff who are familiar with the subject matters indicated in the 15 contentions. It is our intent to aid you in sharpening your contentions for presentation before the Board, and we hope this informal meeting will serve that purpose.

Sincerely,

William D. Paton
Counsel for AEC Regulatory Staff

- cc: Elizabeth S. Bowers, Esq.
- Mr. Glenn O. Bright
- Dr. E. Leonard Cheatum
- Hugh K. Clark, Esq.
- Dr. John H. Manley
- Robert H. Marquis, Esq.
- David G. Powell, Esq.
- Mr. Aubrey V. Godwin
- Elisha C. Poole, Esq.
- Atomic Safety and Licensing
Appeal Board
- Atomic Safety and Licensing
Board Panel
- Mr. Frank W. Karas

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