

FEB 28 1974

Docket No. 50-331

Honorable John C. Culver
House of Representatives

Dear Mr. Culver:

We are pleased to respond to your referral of January 31, 1974, which transmitted a letter dated January 21, 1974, from Irene and William Kilberger. You requested our consideration of their letter with respect to their concerns. In their letter, Irene and William Kilberger state that the nuclear plant near Palo, Iowa, should not be allowed to operate as it is close to Cedar Rapids, Palo, and Covington, Iowa. They asked for your intervention until the Iowa court case has been settled.

I would like to begin our reply by first briefly describing the Duane Arnold Energy Center (DAEC) and then proceed with a brief description of our licensing proceedings regarding the DAEC and a description of the present status of DAEC. The DAEC is a boiling water reactor nuclear power plant located in Linn County, Iowa, about 2-1/2 miles NNE of the village of Palo, Iowa, and 8 miles northwest of Cedar Rapids, Iowa. The generating capacity of the DAEC is about 589 Megawatts-electric.

The applicants for the DAEC, the Iowa Electric Light and Power Company, the Cornbelt Power Cooperative, and the Central Iowa Power Cooperative filed their application for a construction permit on November 4, 1968. Following an evaluation of this application by the Regulatory staff and following public hearings on health and safety matters held before an Atomic Safety and Licensing Board on March 24-25, 1970, and on June 4, 1970, the Director of Reactor Licensing of the U. S. Atomic Energy Commission (AEC) issued a construction permit (CPPR-70) to the applicants on June 22, 1970. The DAEC has been under construction since this date and is now almost ready for fuel loading. The application for an operating license for the DAEC was docketed for review by the AEC's Regulatory staff on May 8, 1972. The Regulatory staff's review of this application included both a radiological health and safety review and an environmental impact review. The results of the Regulatory staff's radiological safety review are reported in "Safety Evaluation

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Honorable John C. Culver

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of the Duane Arnold Energy Center", dated January 23, 1973 (Enclosure 1). The results of the environmental impact review are reported in "Final Environmental Statement, dated March 1973 (Enclosure 2). Both of these documents, along with the complete application, including the applicants' Final Safety Analysis Report and the Environmental Report and all other documents relating to this application, are available for public inspection at the AEC's public document room at 1717 "H" Street, N.W., Washington, D.C., and at the Cedar Rapids Public Library, 426 - 3rd Avenue, S.E., Cedar Rapids, Iowa 52401. The public hearing on environmental impact matters was held in Cedar Rapids, Iowa, on May 3, 1973. The above described proceedings are undertaken by the AEC on all applications for licenses to construct and operate nuclear power plants. A more detailed description of these proceedings is contained in the "Summary of the Nuclear Power Plant Licensing Reviews Conducted by the Regulatory Staff of the U. S. Atomic Energy Commission" (Enclosure 3).

The Regulatory staff's licensing review of the DAEC was concluded with the issuance of an operating license (DPR-49) to the applicants on February 22, 1974.

With respect to the "Iowa Court Case" referred to by Irene and William Kilberger, we understand that this is a suit now pending before the District Court for the County of Linn in Iowa to require the Iowa State Commerce Commission to assume jurisdiction over the DAEC and to conduct public hearings. We further understand that the Iowa State Commerce Commission had previously determined that it did not have regulatory jurisdiction over the DAEC.

I hope this information is responsive to your request for a consideration of Irene and William Kilberger's letter and that it provides you with the information you require regarding the Duane Arnold Energy Center. We are enclosing their letter of January 21, 1974. (Enclosure 4).

Sincerely,

Original signed by:
Roger S. Boyd



A. Ciambusso, Deputy Director
for Reactor Projects
Directorate of Licensing

Enclosures:

1. Safety Evaluation dated 1/23/73
2. Final Environmental Statement dated 3/73
3. Summary of Licensing Reviews

4. Ltr. from Irene and William Kilberger dated January 21, 1974

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The construction and preoperational testing of the various systems of the DAEC are nearing completion. On successful completion of these activities, we expect to issue a full term operating license for the DAEC to the applicants. The projected issuance date is during the latter part of February 1974.

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for
A. Giambusso, Deputy Director
for Reactor Projects
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A. Giambusso, Deputy Director
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Directorate of Licensing

Enclosures:

1. Safety Evaluation dated 1/23/73
2. Final Environmental Statement dated 3/73
3. Summary of Licensing Reviews
4. Incoming ltr dated 1/31/74 from Mr. Culver with attachment

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