

Distribution:
 Chairman
 OGC Files
 Reg Central Files
 PDR (50-263; 50-282; 50-306)
 LPDR
 Shapar
 Engelhardt
 Gallo
 Formal Files
 Chron
 Gossick
 Giambusso
 Ertter (DR #5750)
 OCR

JUL 8 1973

Honorable Donald M. Fraser
 House of Representatives

Dear Mr. Fraser:

We are pleased to respond to your letter to Dr. Ray dated June 7, 1973, regarding the letter from Ms. Alpha Smaby concerning the Prairie Island Nuclear Generating Station. Ms. Smaby raises certain questions in her letter concerning public hearings to be held in connection with the operation of the Prairie Island Station.

Ms. Smaby appears particularly concerned with what she sees as a conflict in the scheduling of the AEC's public hearings on the Prairie Island and Monticello Plants. The regulatory staff of the AEC has also been concerned with this potential problem and has been active in assuring that such would not occur. As a consequence agreement has been reached by the participants in these hearings, including the Minnesota Pollution Control Agency, Minnesota Environmental Control Citizens Association, Mr. Steve Gadler, and the applicant for the license involved, the Northern States Power Company, that establishes a schedule of hearings which will not result in a conflict. The present schedule calls for the hearing on the Prairie Island Plant to begin in September, 1973, and the hearing on the Monticello Plant in April, 1974. Such a schedule will permit full participation in these hearings by all concerned.

It would appear from Ms. Smaby's letter that she is also concerned about the issuance of a license permitting fuel loading and testing of the Prairie Island Station prior to public hearings. Under AEC regulations provision is made for the issuance of such a license but only after an opportunity to request a hearing is provided to the parties who are participating in the full power operating license proceeding. In the case of the Prairie Island Station no request for a hearing on the fuel loading and testing license was made. Accordingly, the presiding Atomic Safety and Licensing Board authorized the issuance of such a license. Of course issuance

Copy sent PDR

OFFICE ▶	OGC J. Gallo	OGC H. Shapar	OCR G			
SURNAME ▶	Gallo	Shapar	G			
DATE ▶	7/5/73	7/5/73	7/9/73			

Honorable Donald M. Fraser

- 2 -

of such a license would not be supported or permitted by the regulatory staff until it was satisfied that the health and safety of the public would not be endangered by the action and that appropriate consideration was given to environmental impacts.

We will be pleased to furnish any additional information you may desire.

Sincerely,

Original signed
by H. K. Shapar

Howard K. Shapar
Assistant General Counsel
Licensing and Regulation

Enclosure:
Cy incoming ltr. fm.
Ms. Alpha Smaby

OFFICE ▶						
SURNAME ▶						
DATE ▶						

DATE OF DOCUMENT
6/7/73

ON COMPLETION DEADLINE
6/21/73

TO
Chairman

ACTION PROCESSING DATES

Acknowledged _____
Interim Report _____
Final _____

PREPARE FOR SIGNATURE OF:

Chairman

Director of Regulation
 ~~000~~ Shapar

DESCRIPTION Ltr Original Copy Other

Encl cy ltr from Alpha Smaby, Minneapolis, concerning scheduling of public hearings on Monticello and Prairie Island

REMARKS

Green slip

21296

REFERRED TO	DATE	IS NOTIFICATION TO THE JCAE RECOMMENDED? _____
Shapar f/action	6/18/73	

Cys:
Gossick
Giambusso
PDR (50-263)
(50-282)
(50-306)
LPDR

Ready

Logging date: 6/12/73

OFFICE OF THE CHAIRMAN
Atomic Energy Commission

June 15, 1973

TO : Regulatory thru General Manager (OCA)
INCOMING
FROM : Cong. Donald Fraser 6/7/73
(Date)

SUBJECT: Letter from constituent, Alpha Smaby,
concerning scheduling public hearings
on Northern States Power Co. Monticello
and Prairie Island plants in
Minnesota

Prepare reply for signature of:

Chairman
Commissioner
GM, DR, GC, PA, IS
Signature Block Omitted

Please return original with response

For Direct Reply
 Send Copy of Reply to:
 Chairman
Commissioners
Secretary

For Appropriate Action
For Information
For Recommendation

REMARKS: No acknowledgement sent.

For the Chairman: Merric Earle Hargett

When separated from enclosures, handle this
document as _____

ACTION SLIP

DR-5746

M. FRASER
DISTRICT, MINNESOTA

HOUSE OFFICE BUILDING
202-225-4755

DALE MACIVER
ADMINISTRATIVE ASSISTANT

Congress of the United States

House of Representatives

Washington, D.C. 20515

June 7, 1973

FOREIGN AFFAIRS COMMITTEE

SUBCOMMITTEES:

CHAIRMAN, INTERNATIONAL
ORGANIZATIONS AND MOVEMENTS

STATE DEPARTMENT ORGANIZATION
AND FOREIGN OPERATIONS

NATIONAL SECURITY POLICY AND
SCIENTIFIC DEVELOPMENTS

FOREIGN ECONOMIC POLICY

DISTRICT OF COLUMBIA
COMMITTEE

Dr. D.L. Ray
Chairman
Atomic Energy Commission
Washington, D.C. 20545

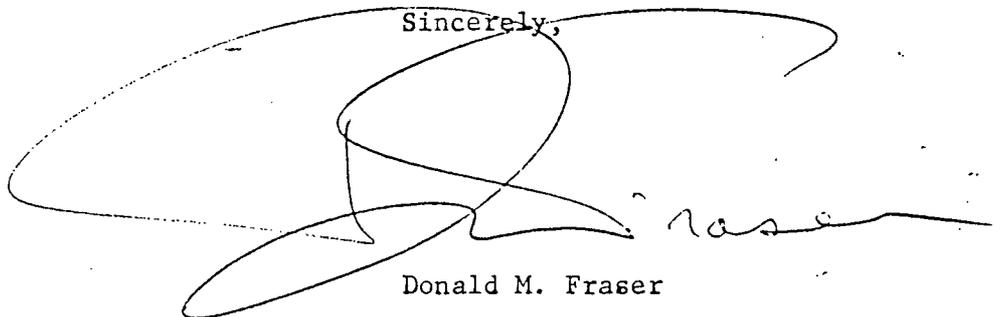
Dear Dr. Ray:

Enclosed is a copy of a letter from Alpha Smaby concerning scheduling of public hearings on Northern States Power Company's Monticello and Prairie Island nuclear power plants in Minnesota.

I would appreciate a report on the questions raised by Ms. Smaby. Certainly these hearings should be scheduled in such a way as to encourage public and State participation.

With best wishes.

Sincerely,



Donald M. Fraser

Enclosure

OFFICE OF THE CHAIRMAN

73 JUN 12 AM 10:48

RECEIVED

1531 E. River Road
Minneapolis, Minn. 55414

May 25, 1973

MAY 29 1973

The Honorable Donald M. Fraser
1111 Longworth Office Building
Washington, D. C. 20515

Dear Congressman Fraser:

The Citizens of Minnesota have been placed in a dire predicament. We are faced with the operation of an unlicensed, untested nuclear power plant, Prairie Island, and with a Pollution Control Agency (PCA) that has been rendered helpless by the Atomic Energy Commission (AEC). The PCA, with Minnesota Environmental Control Citizens Association (MECCA), is an intervenor in an AEC Environmental Review Hearing for the Monticello plant. The PCA and Steve Gadler, a private citizen, are intervenors in the licensing hearings on Prairie Island.

The AEC is now threatening to schedule the Monticello and Prairie Island Hearings concurrently, which has forced the PCA, for lack of staff and money, to sign an agreement with NSP and the AEC that (1) it will stop all discovery on Prairie Island after August 15, (2) NSP will be allowed to fuel the plant, and (3) NSP will begin test operation of the plant.

Steve Gadler has refused to enter into this agreement because he feels that questions concerning fuel densification and the emergency core cooling system should have full public hearing before the plant if fueled and operated. The PCA has decided not to raise these questions because it does not have the staff to handle simultaneous hearings.

The question of scheduling overlapping hearings is appalling to me for two reasons. It is appalling that the AEC can schedule hearings in such a way as to render the MPCA powerless. It is also distressing that we pay three agencies which make decisions about the Prairie Island plant yet we will be denied a public hearing before that plant is fueled and operated. Our state taxes pay for the PCA to protect the quality of air and water for the people of Minnesota. Our federal taxes pay the AEC to encourage the use of nuclear energy and our rate monies finance the building and operation of Prairie Island and Monticello by NSP. When questions about the operation and safety of these two plants are raised, it seems only proper that full public hearings be held so that these questions can be completely explored.

Federal agencies must not be allowed to jeopardize the integrity of state agencies by placing them in situations where they lack the staff and the budget to do their job. Would you demand the AEC to schedule the two hearings in such a way as to allow the PCA to cover both hearings adequately and urge the AEC to withhold permits to fuel and operate the Prairie Island plant until a full public hearing is held?

Sincerely,

Alpha Smaby
Alpha Smaby

AS:mky

Congress of the United States
House of Representatives
Washington, D.C. 20515

June 7, 1973

SUBCOMMITTEES:
CHAIRMAN, INTERNATIONAL
ORGANIZATIONS AND MOVEMENTS
STATE DEPARTMENT ORGANIZATION
AND FOREIGN OPERATIONS
NATIONAL SECURITY POLICY AND
SCIENTIFIC DEVELOPMENTS
FOREIGN ECONOMIC POLICY
DISTRICT OF COLUMBIA
COMMITTEE

Dr. D.L. Ray
Chairman
Atomic Energy Commission
Washington, D.C. 20545

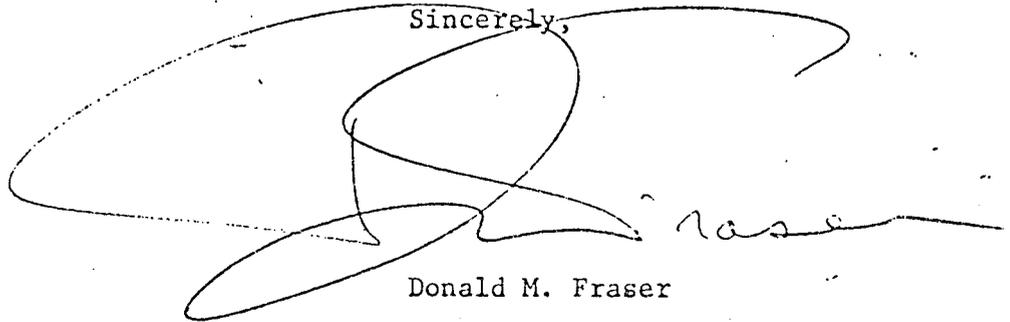
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With best wishes.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'D. Fraser', is written over the word 'Sincerely,'.

Donald M. Fraser

Enclosure

OFFICE OF THE CHAIRMAN

73 JUN 12 AM 10:48

RECEIVED

MAY 29 1973

May 25, 1973

bjsm
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1111 Longworth Office Building
Washington, D.C. 20515

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Sincerely,

Alpha Smaby
Alpha Smaby

AS:mky