

Docket Files
50.333
50-220
50-410

DEC 4 1974

Ruth Caplan, President
Ecology Action of Oswego
Oswego, New York 13126

Dear Ms. Caplan:

Your letter of November 11, 1974, addressed to the Director of Regulation, regarding the AEC licenses issued for the construction and/or operation of Nine Mile Point Units 1 and 2 and the Fitzpatrick plant has been treated as a request for action under the provisions of 10 CFR § 2.206 of the Commission's Rules of Practice. A copy of this section is enclosed for your information.

Your request is based on an article appearing on November 10, 1974, in the New York Times. That article was based on information made publicly available by the Commission in the summer of 1973. Enclosed for your information is a copy of a letter dated August 24, 1973 from the Secretary of the Commission to Mr. Myron Cherry which should provide you with useful background information regarding the WASH-740 report to which you refer and the subsequent work performed in connection with updating information contained in that report.

The New York Times article did not mention the more recent Rasmussen report (WASH-1400) which was completed and released to the public last summer. This was a much more comprehensive study of reactor safety than WASH-740. Last year the Commission appointed Professor Norman Rasmussen of the Massachusetts Institute of Technology to conduct an indepth study of the probabilities and consequences of a serious accident at a nuclear power plant. At the conclusion of the study a draft report was issued for comment by interested members of the public. Copies of press releases relating to this study are enclosed.

Licensing proceedings require extensive analysis and evaluation of safety factors. To justify the revocation proceedings you request, it is necessary to show facts which were not considered in the original

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proceeding and which have a significant impact on health, safety and welfare. Your letter does not present such facts nor does it present any bases for us to take the requested action. The Nine Mile Point proceedings (Nine Mile Nos. 1 & 2 and Fitzpatrick) involved extensive findings made in full recognition of the existence of the above-mentioned theoretical studies. For these reasons no proceedings will be instituted in whole or in part with respect to your request.

Sincerely,

Original Signed By
E. G. Case

Edson G. Case
Acting Director of Licensing

Enclosures:

- 1. 10 CFR § 2.206
- 2. Ltr to M. Cherry dtd 8/24/73
- 3. Rasmussen Press Release

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