

October 8, 1982

Docket No. 50-244
DD-82-11

Ms. Ruth Caplan, Chair
Sierra Club National Energy Committee
278 Washington Boulevard
Oswego, New York 13126

Dear Ms. Caplan:

SUBJECT: DIRECTOR'S DECISION UNDER 10 CFR 2.206
(R. E. Ginna Nuclear Power Plant)

This is in response to your letter dated June 10, 1982 to Chairman Nunzio J. Palladino which requests that the Commission exercise its authority under 10 CFR Section 2.206(c) to review the issues which you raised in your petition dated March 11, 1982. In that petition you requested that the operating license for Ginna be suspended, or permission to restart the reactor be withheld, until critical safety issues were reviewed relating to the January 25, 1982 steam generator tube rupture at the Ginna plant. By my decision (No. DD-82-03) dated May 22, 1982, I denied the portion of your March 11, 1982 request relating to suspension of operation (47 FR 24491, June 4, 1982). However, as you know, I granted your request that our review include and consider specific areas detailed in that petition prior to restart of the Ginna plant. The documentation of this review is contained in NUREG-0916.

With respect to your June 10, 1982 request, you were advised by letter dated July 28, 1982 from Mr. Samuel J. Chilk, Secretary of the Commission, that the Commission decided to refer this request to the NRC staff for appropriate action under 10 CFR 2.206.

We have considered your request under the provisions of 10 CFR 2.206 of the Commission's regulations. This office has determined, for the reasons set forth in the enclosed decision, not to issue an order suspending the license for operation of the Ginna Plant.

A copy of this determination will be placed in the Commission's Public Document Room at 1717 H Street, N. W., Washington, D. C. 20555 and at the Local Public Document Room at the Rochester Public Library, 115 South Avenue, Rochester, New York 14604.

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Ms. Ruth Caplan

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The decision will also be filed with the Secretary of the Commission for its review in accordance with 10 CFR 2.206(c) of the Commission's regulations. As provided for by this regulation, the decision will constitute the final action of the Commission twenty-five (25) days after the date of issuance of the decision unless the Commission, on its own motion, institutes a review of the decision within that time.

A copy of the Notice of Issuance of the Director's Decision, which is being filed with the Office of the Federal Register for publication, is also enclosed.

Sincerely,
Original Signed by
H. R. Denton

Harold Denton, Director
Office of Nuclear Reactor Regulation

Enclosures:

- 1. Director's Decision
- 2. Notice of Issuance

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See next page

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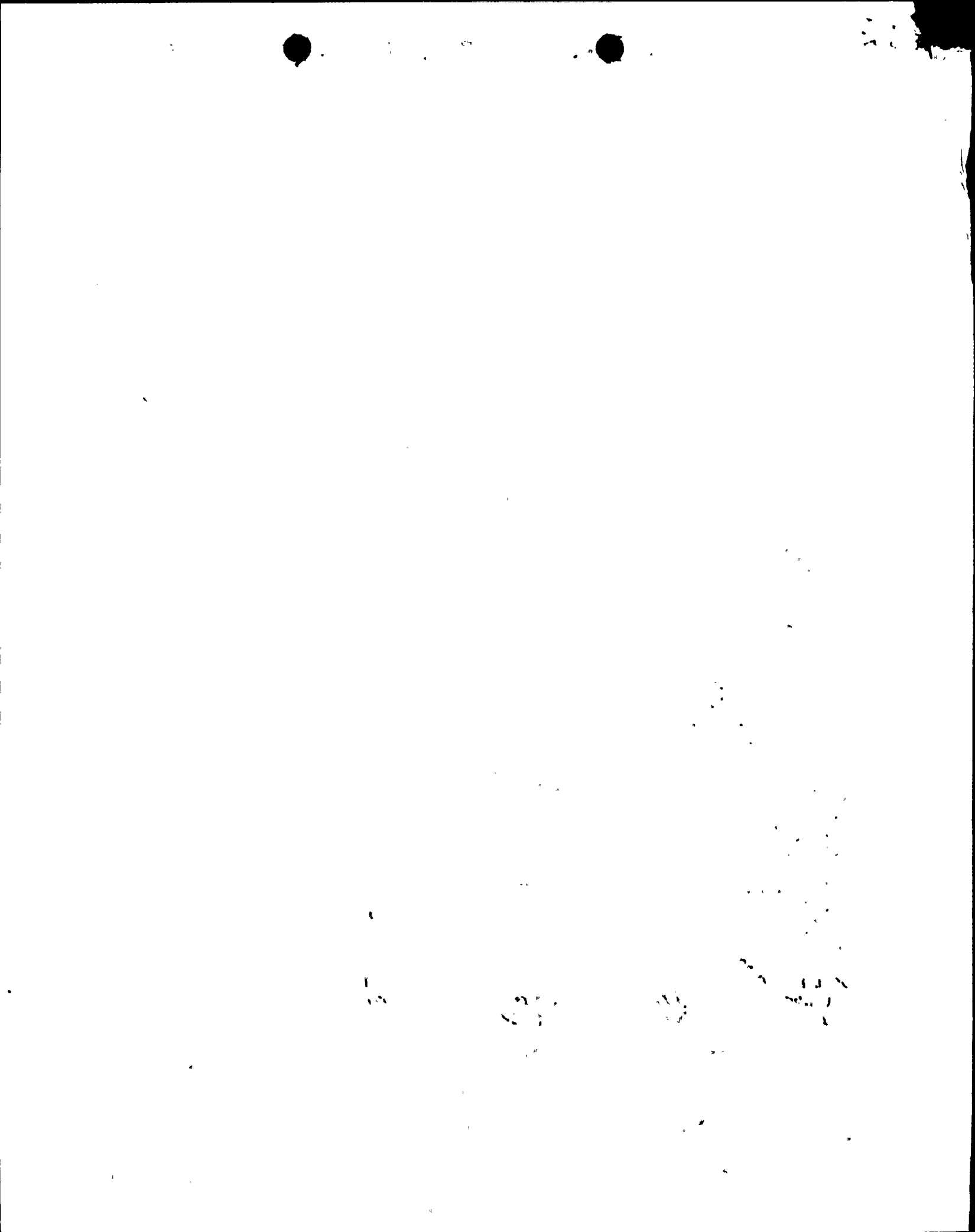
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Ms. Ruth Caplan

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