

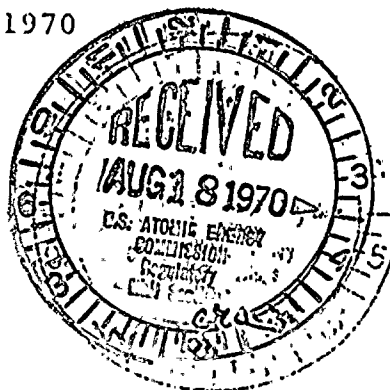


STATE OF FLORIDA  
DEPARTMENT OF  
AIR & WATER POLLUTION CONTROL  
SUITE 300, TALLAHASSEE BANK BUILDING  
315 SOUTH CALHOUN STREET, TALLAHASSEE, FLORIDA 32301  
TELEPHONE (904) 224-9151

August 12, 1970

NATHANIEL P. REED  
CHAIRMAN

VINCENT D. PATTON  
EXECUTIVE DIRECTOR



Mr. Neil J. Newman  
Counsel for AEC Regulatory Staff  
United States of America  
Atomic Energy Commission  
Washington, D. C. 20545

Subject: Florida Power and Light Company (Hutchinson  
Island Nuclear Power Plant), Docket No. 50-335;  
"AEC Regulatory Staff's Exceptions To The  
Initial Decision" dated July 20, 1970.

Dear Mr. Newman:

This agency is appalled and disappointed by your request to the Atomic Safety and Licensing Appeal Board to incorporate the following condition in the proposed construction permit to the subject company:


"Florida Power and Light Company shall observe such standards and requirements for the protection of the environment as are validly imposed pursuant to authority established under Federal and State law and as are determined by the Commission to be applicable to the facility covered by this construction permit. This condition does not apply to (a) radiological effects since such effects are dealt with in other provisions of this construction permit or (b) matters of water quality covered by section 21(b) of the Federal Water Pollution Control Act."

Please be advised that this agency takes strong exception to your proposed action to exempt the subject company from the requirement of Section 21(b), Water Quality Improvement Act of 1970 (PL 91-224). We feel that the AEC has no authority to grant such an immunity and ignore the jurisdictional responsibility of this agency which is responsible for issuing State Certification to applicants for a Federal license or permit as required by PL 91-224.

Mr. Neil J. Newman  
August 12, 1970  
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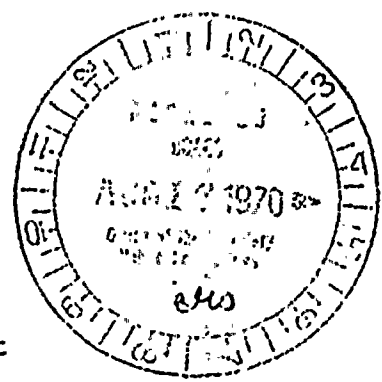
We feel slighted by your decision and urge you to delete the objectionable and unlawful clause from the proposed "condition".

Very truly yours,

  
Vincent D. Patton  
Executive Director

VDP/tlw  
cc: Attached List

1. Mr. Nathaniel P. Reed, Chairman  
State of Florida  
Department of Air & Water Pollution Control  
The Capitol  
Tallahassee, Florida
2. Mr. David H. Scott, Chief  
Bureau of Permitting  
Department of Air & Water Pollution Control  
315 South Calhoun Street  
Tallahassee, Florida
3. Mr. Walter J. Hickel, Secretary  
U. S. Department of the Interior  
Washington, D. C. 20242
4. Mr. David D. Dominick, Commissioner  
U. S. Department of the Interior  
Federal Water Quality Administration  
Washington, D. C. 20242
5. Mr. John R. Thoman, Regional Director  
U. S. Department of the Interior  
Federal Water Quality Administration  
1421 Peachtree Street, N.E.  
Atlanta, Georgia 30309
6. Col. A. S. Fullerton  
Department of the Army  
Jacksonville District  
Corps of Engineers  
P. O. Box 4970  
Jacksonville, Florida 32301
7. Mr. A. J. Davis, Vice President  
Florida Power & Light Company  
P. O. Box 3100  
Miami, Florida 33101
8. J. D. Bond, Esq., Chairman  
Atomic Safety and Licensing Board  
18700 Woodway Drive  
Derwood, Maryland 20752
9. Roy B. Snapp, Esq.  
1725 K Street, N.W.  
Suite 521  
Washington, D. C. 20006



10. Dr. Hugh C. Paxton  
Los Alamos Scientific Laboratory  
P. O. Box 1663  
Los Alamos, New Mexico 87544
11. Mr. George Kinsman  
Senior Vice President  
Florida Power & Light Company  
P. O. Box 3100  
Miami, Florida 33101
12. Dr. Clark Goodman  
Professor of Physics and Chairman  
of Department  
University of Houston  
3801 Cullen Boulevard  
Houston, Texas 77004
13. Mr. E. H. Gluckler, Executive Secretary  
Martin County Taxpayers Association, Inc.  
P.O.Box 741  
Stuart, Florida 33494
14. Mr. Weldon B. Lewis  
County Administrator of St. Lucie  
County  
St. Lucie County, Florida 33450
15. Dr. Herman Heise, President  
Indian River Junior College  
3209 Virginia Avenue  
Ft. Pierce, Florida 33450
16. Dr. Chester I. Nayfield  
Administrator, Radiological  
Health Section  
Florida Division of Health  
P. O. Box 210  
Jacksonville, Florida 32201
17. William Steel, Esq.  
1414 1st National Bank Building  
Miami, Florida 33131
18. Science Advisor  
Office of the Governor  
Tallahassee, Florida 32301

19. Mr. Randolph Hodges, Director  
Department of Natural Resources  
200 E. Gaines Street  
Tallahassee, Florida 32301
20. Mr. James Aothorp, Executive Director  
Board of Trustees of the Internal Improvement  
Trust Fund  
401 S. Monroe Street  
Tallahassee, Florida 32304
21. Mr. Samuel Tucker, Secretary  
Department of Administration  
Capitol Building  
Tallahassee, Florida 32304
22. Dr. J. H. Buck, Vice Chairman  
Atomic Safety and Licensing Board Panel  
U. S. Atomic Energy Commission  
Washington D.C. 20545
23. Dr. Lawrence Quarles  
Dean of the School of Engineering  
and Applied Science  
The University of Virginia  
Charlottesville, Virginia 22901
24. Thomas T. Rogers, Esq.  
Department of the Interior  
Washington, D. C. 20240
25. James F. Littman, Esq.  
Martin County Taxpayers Association, Inc.  
P. O. Box 1154  
215 East Ocean Boulevard  
Stuart, Florida 33494
26. Algie A. Wells, Esq.  
Atomic Safety and Licensing Board  
Panel  
U. S. Atomic Energy Commission  
Washington, D. C. 20545
27. Mr. Stanley T. Robinson, Jr.  
Office of the Secretary  
U. S. Atomic Energy Commission  
Washington, D. C. 20545

