



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20545

SPECIAL DELIVERY

October 13, 1976

OFFICE OF THE
SECRETARY

Docket Nos. 50-271, 50-272/311, 50-277/278
50-289, 50-320, 50-329/330,
50-334/412, 50-352/353,
50-354/355, 50-367/388,
50-443/444, 50-483/486



To those addressees on the attached list:

On October 8, 1976, the United States Court of Appeals for the District of Columbia Circuit entered an order staying issuance of the mandate in Natural Resources Defense Council v. NRC, in response to petitions for stay of mandate filed by several parties in addition to the NRC, indicating, inter alia, that the Commission "shall make any licenses granted between July 21, 1976 and such time when the mandate is issued subject to the outcome of the proceedings herein." A petition for a writ of certiorari has been filed in that case by the Vermont Yankee Nuclear Power Corporation seeking review of the decision, making it appear that the mandate will not issue for the next several months, at least. FRAP 41(b). Other parties, including the Commission, may also seek Supreme Court review. The Vermont Yankee Corporation has also filed a motion with the Commission seeking recall of its directive, in its General Statement of Policy, establishing a hearing board to consider suspension of the Vermont Yankee license and authorizing the convening of similar boards on petition in other cases, until such time as the mandate may issue.

The Commission today released a supplement to its Environmental Survey of the Nuclear Fuel Cycle, and issued a notice of proposed rulemaking indicating its present belief that adoption of an interim rule setting revised values for the contributions of the waste management and re-processing portions of the LWR fuel cycle to the environmental impacts of an individual reactor, could be possible within three months.

In light of all these circumstances, and in particular the court of appeals' action and the indications that adoption of an interim rule on a timely basis will be feasible, the Commission is considering the suspension of all pending show cause proceedings on fuel cycle issues, as moved by the Vermont Yankee Corporation. You are directed to file any response you may wish to make to the aforesaid motion, a copy of which is attached hereto, to reach the Secretary of the Commission on or before the close of business Friday, October 22.

Sincerely,

Samuel J. Chirk
Secretary of the Commission

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Attachments:
as stated

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