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Congress of the United States

House of Representatives

November 6, 1979



POOR ORIGINAL

STEVE NEAL
5TH DISTRICT, NORTH CAROLINA

Mr. Joseph M. Hendrie
Chairman
Nuclear Regulatory Commission
Washington, D. C. 20555

RE: Duke Power Company's application to build nuclear powered electric generating units on the Yadkin River (Perkins)

Dear Mr. Chairman:

Mr. David Springer, a constituent and concerned resident, has brought to my attention the request from the Nuclear Regulatory Commission to the State of North Carolina requesting the state's view as to the availability of condenser cooling water for thermal electric generating units.

The enclosed copy of a letter to Mr. William A. Raney, Jr. from Mr. Charles A. Barth, Counsel for the NRC staff, dated October 11, 1978 advised the state that NRC is reassessing site alternatives to the Perkins site proposed by Duke Power Company "for a facility of approximately 4,000 megawatts of electricity."

The fact is that Duke Power Company is not planning and never has planned one 4,000 megawatt facility. The company is planning to build three 1,280 megawatt units. The significance of this is that even though there would not be water capacity to handle cooling for one 4,000 megawatt unit, I am told it would be entirely possible for Lake Norman, a considerably larger reservoir of water on the Catawba River, to accommodate the building of a combination of condenser cooled and tower cooled units if there were a mix among the various units. I am advised that NRC has licensed a number of stations that have mixed cooling facilities.

Mr. Barth, as you can see from the correspondence, had written to an Assistant Attorney General of the State of North Carolina. He received a reply, not from the Attorney General's office, but from Mr. Benton in the Environmental Operations Section of the North Carolina Department of Natural Resources in which Mr. Benton says that it is his personal opinion that technology other than

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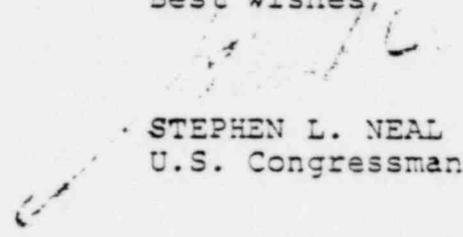
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once through cooling would be required. Mr. Barth is now using the personal opinion of one state government employee as the official position of the state of North Carolina before the Nuclear Regulatory Commission. The fact is that the state of North Carolina has not yet developed an official position on this issue, although they have been requested to do so and we anticipate some action relatively soon.

Mr. Chairman, it is my understanding that you will soon be called upon to make a judgment as to whether or not there are alternate sites in North Carolina which can be available to Duke Power Company and I strongly urge you not to make such a decision based on the obviously incomplete information at your disposal at this time. It is imperative that we get the state's position on this issue before final judgment is made, rather than using the personal opinion of just one person.

Your very careful consideration will be appreciated.

Best wishes,


STEPHEN L. NEAL
U.S. Congressman

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Enclosures

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