

Box 88-A, RD #1
Peach Bottom, PA
17563
November 18, 1979

Mr. Victor Gilinsky
Commissioner
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dear Mr. Gilinsky,

I liked your letter to the editor of the New York Times straightening them out on plutonium creation in nuclear plants. But I am not writing just to tell you that.

The Nuclear Regulatory Commission is not helping its already tarnished image by allowing a utility to perpetuate an application to construct a theoretical plant which, if ever conceptualized, might not even be of nuclear nature. And, by permitting your staff to cooperate in this wild goose chase, you are needlessly tampering with the rights of property owners in this area.

What I am talking about is the Philadelphia Electric Company's application for a construction permit for a plant in Fulton Township, Lancaster County, Pennsylvania, originally docketed in 1973. Subsequently, the plant was cancelled and in 1978 the NRC staff moved to terminate the application. But PE, in an effort to preserve its status, requested an Early Site Review. This, in itself, would be an exercise in futility, as the site was exhaustively examined at the time of the original application and nothing new has entered the picture, not even plans for another plant. In fact, as you will note in the enclosed clipping, the utility admits it has no plans and that it only latched onto the ESR request because it happened to be available.

Not only is the ESR revealed as a mere pretext but your staff, from news reports, is in no position to give it their attention in what appears to be the foreseeable future. To add insult to injury, if this completely unnecessary site evaluation were to be undertaken at some distant point in time, the utility would then have, believe it or not, another six years to make up its mind if it wanted to build a plant or not.

I do not need to tell you that it is this sort of thing that serves to reinforce the public's image of inefficiency and waste in the administrative branches of the government. But even more importantly it is creating and perpetuating a cloud over the titles to land that would be subject to condemnation should such a plant ever be built. While the PE application is allowed to continue,

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Mr. Victor Gilinsky

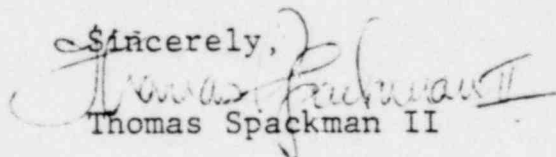
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none of the affected property owners will be able to sell their land for its true market value even assuming they could find a buyer. And the way things are going, this situation could continue on into the next century. Unless that is, your commission acts as I believe it should, by ordering the PE application cancelled, the ESR denied, and the utility instructed to reapply only when it has specific plans for a plant. I hope that you will do so.

I am one of the property owners affected by the plant and I speak for my neighbors as well as myself. We have tried to get action on this through existing procedural channels but were met by, I regret to say, the typical bureaucratic obfuscation that appears to be associated with this type of action.

We are making, we feel, a very reasonable request and one that is within the powers of your commission to grant. We ask that you free us from this unjust threat to our property by rescinding the utility's application.

Sincerely,

Thomas Spackman II

TSII/gs

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No Plans for 10 Yrs.

A-Plant Not Eyed in Fulton Twp., PE Says

Philadelphia Electric Co. has no plans for building any type of power plant on its Fulton Township site, in southwestern Lancaster County, in the next ten years, a PE spokesman said today.

Ron Harper of Philadelphia Electric said, "We don't have any planned plants... Within a 10-year planning period, we see no need to have a new project in service. Nothing is on the drawing boards."

Should a plant be built there, it would not necessarily be a nuclear plant, Harper added. "We are not committed to building a nuclear plant on that site. Definitely not."

Reason for Review

PE currently is trying to get an early site review for the Fulton Twp. tract from the Nuclear Regulatory Commission. But, Harper said, this does not mean it wants to build a nuclear plant on the site. PE is using the review process merely to mark the tract for a "land bank" to keep an eventual construction option open, he said.

Such a move would not be possible with coal or oil plants, he said, where federal regulators offer nothing comparable to an early site review.

The only power plant PE has under construction is the Limerick Nuclear Generating Station, Montgomery County. Now 50 percent completed, its Unit 1 is expected to go on line in 1985, its Unit 2 in 1987.

Previous Position

In May, PE said it was not necessarily committed to building twin reactors on the 380-acre site, which spreads over Fulton and Drumore townships.

Being granted the early site review would speed up the regulatory process should PE decide to build a nuclear station in the 1980s or 1990s, a PE spokesman said at that time.

Today, Harper ruled out such a plant being needed for at least the next 10 years, citing electricity demand estimates which

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A-Plant Not Eyed in Fulton

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fail to justify extra generation capacity.

The Fulton site and proposals for plants there have been a source of local controversy for many years.

Originally calling for a nuclear plant, those plans were scuttled in 1975 when the reactor supplier folded. Opposition to the plant has come from local, state and federal representatives, and a local anti-nuclear group.

Negative reaction here intensified following the Three Mile Island nuclear accident. Three Mile Island is operated by Metropolitan Edison Co. of Reading, not PE. Harper's comments came in response to a firm appraisal of Pennsylvania's nuclear future by state officials Wednesday.

'Finished' in Penna.

The state's top energy and environmental officials said nuclear power is finished in Pennsylvania as a future source of new electrical generating capacity.

"I don't think we can go out tomorrow and talk about building a nuclear plant in Pennsylvania," said state Public Utility Commission Chairman W. Wilson Goode.

Goode and state Environmental Resources Secretary Clifford L. Jones spoke in Pittsburgh to the Pennsylvania Electric Association.

Both men said coal was the only practical new source of energy for Pennsylvania through the 1990s.

Predicts Brownouts

Their remarks contrasted sharply with those of PEA president Brooke R. Hartman, who predicted brownouts and blackouts in Pennsylvania by 1990 if new plants, both coal and nuclear, aren't planned soon.

"Given the generating capacity now in place or under construction," Hartman said, "Pennsylvania would experience brownouts or power interruptions as soon as 1985 with a moderate 4 percent rate of growth in electricity usage."

And there was more pessimism from R. Eugene Samples, chairman and chief executive of Consolidation Coal Co.

"We've been hearing a lot of talk for a long time," Samples said, "but there's been a lack of any real thing happening on conversion to coal."

Samples said air pollution restrictions had made coal too expensive for utilities to turn to, even in cases where existing oil- or gas-fired plants could be converted to coal burners.

There are 70 such convertible plants in the country now, Samples said. Converting them to coal could save an estimated 100 million barrels of oil per year, if regulators adopted more reasonable policies in granting the permits, he added.

"We can burn coal, and we can have reasonable air quality standards," he said. "But this kind of flexibility doesn't seem to exist among the bureaucrats."

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