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DEC 27 1979

The Honorable Edwin B. Forsythe
United States House of Representatives
Washington, D.C. 20515

Dear Congressman Forsythe:

This letter is in response to your letter to Commissioner Hendrie dated August 13, 1979. You inquired about the feasibility of expediting the Three Mile Island Unit 1 (TMI-1) re-licensing process in the interest of reducing the financial burden on ratepayers in the service area of the Jersey Central Power and Light Company, while continuing our overriding concern for the public health and safety.

The Commissioner has asked me to respond to your letter in view of the fact that there are now adjudicatory proceedings for TMI-1 underway before an Atomic Safety and Licensing Board. Under the Nuclear Regulatory Commission (NRC) rules of practice, the Commission will be called upon to review the Orders and decision of the Licensing Board, and hence, it would not be appropriate for him or other members of the Commission to comment on the matters raised in your letter.

Since the date of your letter, several actions have occurred which may provide you some perspective on the overall situation at TMI. As you know, the Commission on July 2, 1979, ordered that TMI-1 remain in a cold shut-down condition until further Order by the Commission itself. Also, the July 2, 1979, Order stated that a public hearing would be conducted prior to the TMI-1 restart. The Commission believes that public participation is a necessary factor which must take place prior to any restart.

On August 9, 1979, the Commission issued an additional Order on TMI-1 specifying the basis for the Shutdown Order and the procedure to govern the hearing on TMI-1 restart. On the basis of this hearing the Commission will determine whether any further operation of TMI-1 will be permitted, and if so, under what conditions. It should be noted that the Commission Order on TMI-1 requires additional action items on the part of the licensee which were not required in the confirmatory orders to the licensees of all other Babcock & Wilcox reactors similar to TMI-1/2. I have enclosed a copy of the TMI-1 Order issued on August 9, 1979, for your information.

During the Commission's deliberations on the TMI-1 Order, a realistic date for expeditiously completing all of the tasks related to the Order was estimated (see back page of enclosed Order). I can assure you that the necessary actions have been initiated by the NRC staff to meet the Commission's suggested schedule for the TMI-1 restart. At this time, and

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The Honorable Edwin B. Forsythe

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based on the Commission's schedule, I believe the earliest possible date for bringing TMI-1 back on-line is September 1980. An extended hearing process could further delay this prospective restart date.

While we are of course concerned about financial impacts on consumers as a result of our action, our primary responsibility is assurance of the public health and safety. Let me further assure you that we will continue to do what we can to expedite the hearing process while discharging that primary responsibility.

I trust this response addresses the questions raised in your letter. If you have further comments, please direct them to R. H. Vollmer (telephone: 301/492-7347) within the Commission's Office of Nuclear Reactor Regulation.

Sincerely,

Original signed by R. G. Smith
Lee V. Gossick
Executive Director for Operations

Enclosure:
Copy of August 9, 1979, Order

Distribution Copies:	Attorney, ELD
Courtesy Copy	CCA (3)
Docket No. 50-289	GErtter (EDO#7277)
NRC PDR	MGroff
Local PDR	JMullin
EDO r/f	RReid
SEP/TMI r/f	DDianni
TMI Site r/f	CNelson
RVollmer	PKreutzer, LA
JCollins	TERA
HSilver	
SMiner	
HDenton	
ECase	
HBerkow/WRussell	
DVassallo	
DMuller	
RMattson	
DEisenhut	
RTedesco	
Secy (3)	

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NOTE: See attached yellow for additional concurrences.*

OFFICE	TMI-1 Restart	D/TMI Support	NRR	NRR	EDO	OCA
RSilver/jm*	RVollmer*	ECase	HDenton	LVGossick		
SURNAME	12/18 /79	12/29 /79	12/ /79	12/ /79	12/ /79	12/ /79
DATE						

Congress of the United States
House of Representatives
Washington, D.C. 20515

August 13, 1979

Joseph M. Hendrie
Chairman
Nuclear Regulatory Commission
1717 H Street N.W.
Washington, D. C. 20555

POOR ORIGINAL

Dear Chairman Hendrie:

It has been brought to my attention that the Nuclear Regulatory Commission plans to follow the normal hearing procedures in certifying that Three Mile Island Unit 1 be safely restarted. I also understand that the NRC staff has suggested that a minimum of 15 months will be required for this process.

I strongly support any necessary steps toward safe operation of nuclear plants. Public health and safety must be an overriding concern in this area.

In view of the major economic effects upon my constituents of the continuing need to purchase replacement power for TMI 1, however, I would like to inquire whether or not it is feasible to expedite this re-licensing process while at the same time give every attention to safety. Consumers in the service area of New Jersey Central Power and Light Company are presently paying additional millions of dollars every month which I hope can be avoided by an expeditious return of TMI 1 into service.

I would greatly appreciate whatever information you can provide in relation to your plans for this re-licensing process.

Sincerely

Edwin E. Forsythe
Member of Congress

EBF:klp

8x16..To EDO for Prepare reply for signature of EDO..Date due: Aug 31..Orig to Docket.
Logged Ex Parte..OCA to Acknowledge....79-2397

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