



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

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Docket No. 50-346

JUN 1 1979

The Honorable Tim McCormack
Ohio Senate
Statehouse
Columbus, Ohio 43216

Dear Senator McCormack:

Your letter of May 3, 1979, to Chairman Hendrie has been referred to me for reply. I interpret the basic thrust of your letter to be a request that permission for the Davis-Besse Nuclear Generating Station, Unit No. 1 (Davis-Besse 1) to resume operation be withheld pending the conclusion of public hearings in Northern Ohio which demonstrate that Davis-Besse 1 can be safely operated in accordance with the requirements of the Atomic Energy Act of 1954 and the Energy Reorganization Act of 1974, as amended. In this regard, you have listed several topics you believe should be considered by such a hearing.

As you are undoubtedly aware, the nuclear portion of Davis-Besse 1 was designed by the Babcock and Wilcox Company (B&W) - which also designed the same basic portion of the two units at Three Mile Island. Because of this generic similarity (although there are some significant differences in the detailed designs of these units), the experience at Three Mile Island, Unit No. 2 has raised certain questions among our technical staff as to the capability of B&W-designed units to adequately respond to certain off-normal plant conditions. We have communicated these concerns to the Toledo Edison Company and as a result they have agreed to complete certain short-term corrective actions prior to resuming operation following the present maintenance outage, and to complete certain other corrective actions on a longer time scale.

In order that we may have an opportunity to determine the suitability and acceptability of the proposed short-term corrective actions the Commission has issued the enclosed Order. This Order requires Davis-Besse 1 to remain shutdown until we have confirmed that the actions specified in the Order have been taken, that the specified analyses are acceptable and that the specified implementing procedures are appropriate. In addition, Section V of the Order states that within twenty (20) days of the date of the Order, the licensee

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(Toledo Edison Co.) or any person whose interest may be affected by the Order may request a hearing with respect to the Order.

Hearings on orders of this type are not scheduled unless the licensee or a member of the public whose interest may be affected by the Order requests a hearing. Such requests should be submitted to the Secretary of the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 within twenty days of the date of issuance of the Order. In the case of the Davis-Besse Order, that would be June 5, 1979.

If I can be of further assistance, please contact me.

Sincerely yours,

Original Signed by
H. R. Denton

Harold R. Denton, Director
Office of Nuclear Reactor
Regulation

Enclosure:
Davis-Besse 1 Order

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Ohio Senate
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Columbus, Ohio 43216
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1-800-282-0253

Tim McCormack
31st District
170 E. 209th St.
Euclid, Ohio 44123

May 3, 1979

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Mr. Joseph M. Hendrie, Chairman
Nuclear Regulatory Commission
1717 H Street, NW
Washington, DC 20555

Dear Mr. Hendrie:

I am writing to you in my capacity as an Ohio State Senator and as a resident of Northeast Ohio. I respectfully request your assistance in answering our concerns about the Davis-Besse nuclear plant.

It is my belief that the Davis-Besse nuclear powered plant in Northern Ohio should not be fired again by nuclear fuels until the public of Northern Ohio and surrounding areas can be fully assured, through public hearings by your Nuclear Regulatory Commission in Northern Ohio, that:

- 1) There can be no foreseeable risk through nuclear accident to the safety and health of the population residing within the several hundred square miles of the plant site.
- 2) That the basic operating and safety equipment of the Davis-Besse plant is fully certified to be inherently free of operational defect, so much so that there can be no likelihood of a nuclear "accident" or incidence of "human error" where such "accident" or "error" would jeopardize the health and well-being of residents living in the affected area of Ohio.
- 3) That the level of training for those employees charged with the responsibility of keeping the plant operating safely is complete and is specifically certified to meet the strictest NRC safety training requirements.
- 4) That there be a systematic, full, and truthful disclosure of the history of all incidents which have taken place at the Davis-Besse site since its first day of operation which could have, or in fact did constitute, an interruption in operations or a complication in operations.
- 5) That there be a full disclosure of any incidents of the leaking of any radioactive materials out of the fuel containment area or into the atmosphere as a result of the operation of the Davis-Besse plant. How much radioactive material, if any, has been leaked into the environment since the first day that radioactive materials were introduced into the Davis-Besse plant?

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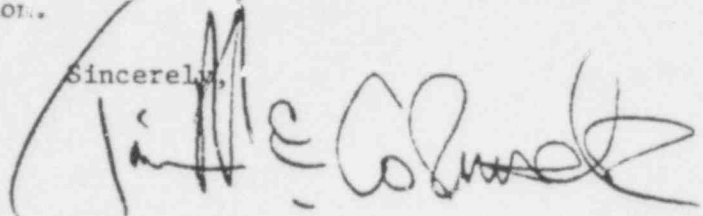
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May 3, 1979

- 6) Have any people living in the near vicinity of the Davis-Besse plant been subjected to any amounts of radioactivity in their environments which exceed the normal amount of atmospheric radioactivity found in other areas of Ohio away from nuclear plant sites?

I would appreciate having your response to these concerns as soon as possible. I am certainly hopeful that no steps will be taken to again operate the Davis-Besse plant until such time as the NRC conducts full public hearings in Northern Ohio for the benefit of our resident population.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim McCormack". The signature is stylized and written over a large, faint circular mark.

Tim McCormack
State Senator

TM/kh