



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

NRC ADP

JUN 01 1979

Docket Nos. STN 50-596  
STN 50-597

MEMORANDUM FOR: Harold R. Denton, Director  
Office of Nuclear Reactor Regulation

FROM: Daniel R. Muller, Acting Director  
Division of Site Safety and Environmental Analysis

SUBJECT: ENVIRONMENTAL REVIEW OF NEW HAVEN CP APPLICATION

Your Commission Paper concerning the interim NRR organization (SECY 79-344, May 19, 1979) identified New Haven as one of the CP reviews that should be suspended until January 1980.

Several factors concerning the environmental review of this application call for some additional consideration of this proposed action.

On April 6, 1979 the Executive Director for Operations signed an agreement with the New York State Departments of Public Service and Environmental Conservation (DPS and DEC). This Agreement calls for the NY State Public Service Commission staff, with some support from the DEC staff, to provide substantial input to our Draft and Final Environmental Statements. In addition, it specifies that the agreement shall be in effect as long as the Chairman of the New York State Public Service Commission and the NRC agree to conduct a joint hearing. The agreement to conduct a joint hearing was made by an exchange of letters between Chairman Hendrie and Charles A. Zielinski, Chairman of the New York State Public Service Commission.

The details of the conduct of the joint hearing were left to the Joint Board, consisting of the ASLB and the New York Siting Board Hearing Examiners. The staffs of the NRC, DPS and DEC proposed to the Joint Board a "Protocol for the Conduct of Joint Hearings" and appended to it a schedule covering the preparation of the DES/FES and the conduct of the hearing. The proposed schedule calls for issuance of the DES on April 1, 1980 and the FES on August 1, 1980. The major pressure to complete the proceedings expeditiously arises from the requirement of New York law that the Siting Board render a decision within a specified period (January 22, 1981 in this proceeding). As it is, the Siting Board decision date called for in the proposed schedule (October 1, 1981) is beyond the period specified and will require that an extension be granted by the Siting Board.

The DSE staff has been attempting to establish an environmental review schedule that will be compatible with the New York State review.

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The major portion of the environmental review can probably proceed within the guidelines of your Commission Paper. However, in the areas of Accident Analysis and Radiological Assessment, the currently proposed schedule may not be met if our estimate of the TMI impact is correct. Bill Kreger indicates that unless some kind of priority is assigned to this review, at this time, he cannot schedule completion of the site analysis effort in a time-frame that will coincide with the proposed State review schedule. He does indicate that pending decisions on manpower and TMI activities may permit such scheduling.

The amount of effort required by the headquarters staff to accomplishing this review is approximately 1 man-month.

I believe that we can continue to pursue our effort to obtain State participation and cooperation if some indication of priority is given to the environmental review for the New Haven application. The SER is currently scheduled to be issued in August 1980 and will no doubt be impacted by the current plans but should not influence the environmental review except in the areas of accident analysis and radiological assessment.

I request that you identify the New Haven environmental review as a staff priority that is to take precedence over the other suspended activities listed in Enclosure 3 to the Commission Paper. Such designation would permit me to schedule resources in a way that would increase the likelihood of our accomplishing our goal of mutual support and cooperation with the State of New York.

OELD has informed me that we were directed at the recent special prehearing conference to advise the Joint Board promptly as to whether the TMI-related reviews will have an impact on our ability to meet the proposed schedule. A negative answer would affect this schedule with results which are not clear, at this time. In view of the importance which has been attached by the Commissioners to the holding of joint proceedings, I believe every effort should be made to meet the proposed schedule.

If some indication of preferential treatment for the New Haven environmental review cannot be given, then I feel that we should immediately initiate actions to advise the Joint Board and the State of New York that we may not be able to meet the proposed schedule.



Daniel R. Muller, Acting Director  
Division of Site Safety and  
Environmental Analysis