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ROBERT J. McWHORTER
VICE PRESIDENT

December 21, 1978

Mr. Harold R. Denton
Director, Office of Nuclear
Reactor Regulation
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Subject: Erie Nuclear Plant, Units 1 & 2
USNRC Docket Nos. STN50-580 & STN50-581

Dear Mr. Denton:

This letter is in follow up to my telephone conversation with Mr. Roger S. Boyd on November 15, 1978 in which I advised him of a change in the plans regarding the proposed Erie Nuclear Plant (ENP), Units 1 & 2.

As indicated in the enclosed November 15, 1978 press release (a copy of which was previously filed with the Commission), CAPCO has announced schedule changes for three nuclear electric generating units. Detailed studies on four other nuclear units, including the ENP, are continuing. It is presently contemplated that construction of these units may be delayed by an average of three years. The reasons for the schedule changes and for the continuing studies are construction delays, increased construction costs, ever-changing regulatory requirements, high environmental control costs on existing units, changing conditions in the capital markets and, to an extent, by customer sensitivity to increasing cost reflected in their conservation efforts.

Due to the depth and breadth of these continuing studies, it now appears as if it will be several months before the studies are completed.

After careful review of various NRC licensing options, we concluded that certain ENP licensing activities relating to our pending construction permit application should continue concurrently with the CAPCO planning studies. Specifically, we recommend that the Supplement to the Safety Evaluation Report be issued as soon as practical and that the ASLB be requested to proceed with the hearings on radiological health and safety issues, including the issuance of a partial initial decision on these matters.

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It is obvious that until the results of the on-going CAPCO studies are known, issues such as need for power, economics and analysis of alternatives cannot be assessed. Thus it would not be appropriate to proceed with issuance of the Final Environmental Statement or full environmental hearings at this time. However, we believe that other environmental issues could be resolved. We would recommend that the Staff issue those portions of the FES which do not involve need for power, economics or alternatives analysis and that the ASLB be requested to proceed with hearings on these matters, and issue a partial initial decision.

While uncertainty still exists in our capacity program, we believe it prudent to continue ENP licensing under the courses of action described above. In this manner, important licensing decisions and milestones visible to all parties can be achieved.

Should you need or desire further information, we would be most happy to meet with your staff to discuss our plans in detail.

Very truly yours,

Robert J. McWaters

RJM/ECB:jmm
Attachment