

Commonwealth of Virginia



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December 20, 1978

Marshall E. Miller, Esquire  
Chairman  
Atomic Safety and Licensing Board  
U. S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dr. Oscar H. Paris  
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Washington, D.C. 20555

Mr. Frederick J. Shon  
Atomic Safety and Licensing Board  
U. S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Re: In the matter of VIRGINIA ELECTRIC AND POWER  
COMPANY (Surry Power Station, Units 1 and 2),  
Docket Nos. 50-280, 50-281.

Gentlemen:

By your Order of February 9, 1978, the Commonwealth of Virginia was granted leave to file a request for hearing in this matter within ten days of the issuance of the Staff Safety Evaluation Report (SER). That document was issued on December 15, 1978. Accordingly, a request for hearing must be made within ten days thereafter.

The SER (Appendix A) deals specifically with the safety issues raised by the Commonwealth. The Staff, based on its independent evaluation, has resolved those issues, among others, and concluded that the public health and safety will be protected if the steam generator repair program is carried out as described in the application and as limited by certain



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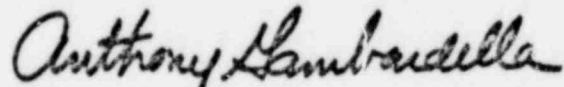
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license conditions. The Staff notes certain reservations concerning the design of the new steam generators (SER, pp 28-29). In addition, further analysis of the emergency core cooling system will be required to verify compliance with 10 C.F.R. § 50.46 under conditions assuming that steam generator tubes are not plugged (SER, pp. 40,44).

The facts of record are largely established by the SER, and formal adjudicatory hearings, in the absence of operating experience to verify the calculated results, would not, in the Commonwealth's view, add significantly to that record. The Commonwealth does not waive any right She may have to raise issues concerning the reservations noted above (or other matters which may arise later) in appropriate proceedings before the NRC or in any other forum; but She will not request a hearing in this matter.

Respectfully submitted,



Anthony Gambardella  
Assistant Attorney General

8:17L120W2

cc: Secretary  
U. S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

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