

Docket No. 50-289

Mr. William B. Whittock
1810 Market Street
Camp Hill, Pennsylvania 17011

Dear Mr. Whittock:

Thank you for your letter of November 21, 1967 regarding the Three Mile Island Nuclear Station which the Metropolitan Edison Company proposes to construct on Three Mile Island in the Susquehanna River in Dauphin County, Pennsylvania. We regret the delay in responding.

It is our understanding, however, that during the intervening period of time, you met with representatives of the Metropolitan Edison Company to discuss the question of flooding which you raised in your letter. We trust that your concerns were resolved as a result of that meeting.

Metropolitan Edison Company's application states that a dike will be constructed around the northern end of Three Mile Island to protect the proposed plant from flooding. The substantive regulatory jurisdiction of the AEC under the present law with respect to the construction of dikes is limited essentially to the effect of such dikes on the radiological health and safety of the public and common defense and security. Since the possible effect of the proposed dike on up-river flooding does not involve a matter within the jurisdiction of the AEC, we are without authority to consider the matter.

There is, however, a possibility that this matter has been considered by the State of Pennsylvania. It is suggested that you contact Mr. A. M. Lunetta, Chief, Division of Dams and Encroachments, State of Pennsylvania Department of Forests and Waters, Harrisburg, Pennsylvania, for further information and assistance.

A copy of the Metropolitan Edison Company's application is available for inspection by you at the Commission's Public Document Room at 1717 M Street, N. W., Washington, D. C. Amendment No. 4 to this

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application contains the relevant information regarding this proposed dike. Copies of this application are also available for inspection at the offices of Mr. Richard Menear, Chairman, Board of Supervisors, Londonderry Township, Middletown, Pennsylvania, and Mr. Walter E. Lang, Chairman, Board of County Commissioners of Dauphin County, Dauphin County Courthouse, Harrisburg, Pennsylvania.

The regulatory staff of the Commission is presently completing its review of the Company's application for a construction permit for the proposed plant. A public hearing on the application is scheduled for April 10, 1968, before an atomic safety and licensing board designated by the Atomic Energy Commission. The enclosed notice of hearing and postponement of hearing order will provide you with the details regarding the hearing. Also enclosed for your information is a pamphlet "Licensing of Power Reactors" which summarizes the AEC licensing process and briefly describes the nature of the Commission review of applications for construction permits.

Sincerely yours,

Signature

Peter A. Morris, Director
Division of Reactor Licensing

Enclosures:

1. "Notice of Hearing on Application for Provisional Construction Permit"
2. "Order and Notice Postponing Hearing and Prehearing Conference"
3. "Licensing of Power Reactors"

See Attached Yellow for Concurrences.

OFFICE	DRL	DRL	OCC	DRL	DRL
	R.L. Waterfield	J.F. Newell	Engelhardt	S. Levine	P.A. Morris
SURNAME	XXXXXXXXXXXX	J.F. Newell	Engelhardt	S. Levine	P.A. Morris
DATE	2/28/68	2/28/68	3/4/68	2/29/68	3/1/68