



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

JAN 9 1980

The Honorable Marshall Coleman
Attorney General
State of Virginia
Supreme Court Building
1101 East Broad Street
Richmond, Virginia 23219

~~REGULATORY SECRET FILE COPY~~

Dear Mr. Attorney General:

Your letter of December 14, 1979 to Chairman Ahearne has been referred to me for reply. The General Counsel has concluded that it is an ex parte communication. (This view is not shared by a minority of the Commissioners). Therefore, I am commenting on your letter requesting assurance that the North Anna Unit No. 2 operating license application is under active review and expressing concern as to when an operating license may be issued for the North Anna Unit No. 2 station.

I would like to briefly review for you our activities since the accident at Three Mile Island Unit No. 2 (TMI-2) and their relationship to the North Anna Unit No. 2 plant. At the time of the TMI-2 accident, a number of issues remained to be resolved in completing our review of the North Anna Unit No. 2 application. As a consequence of the TMI-2 accident, the effort of the staff was concentrated on evaluating the accident and assessing the remedial measures to be required as our evaluation progressed -- both immediate, near-term, and long-term -- at first, on operating reactors, and later, on applications under review. However, the review of the North Anna Unit No. 2 application was not halted during this time. We have continued to work with the Virginia Electric Power Company (VEPCO) within the limitations of our available resources to resolve the issues outstanding at the time of the accident at TMI-2. This effort has proceeded and most of these "non-TMI" related issues have now been resolved.

Since the TMI-2 accident, the NRC staff has been conducting an intensive review of the design and operational aspects of nuclear power plants and the emergency procedures for coping with potential accidents. The purpose of these efforts was to identify measures that should be taken in the short-term to reduce the likelihood of such accidents and to improve the emergency preparedness in responding to such events.

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On September 27, 1979, letters were sent to all pending operating license applicants, including the Virginia Electric & Power Company setting forth further requirements established to date as a result of these efforts. We indicated that additional requirements would likely be developed. In a letter dated October 25, 1979, the Virginia Electric & Power Company responded to our request of September 27, 1979. A special task force established to review responses by operating license applicants commenced a review of the submittal shortly thereafter, and a letter was issued November 9, 1979 requesting additional information and clarifying certain positions related to our requirements to expedite both VEPCO's response and our subsequent reviews. By letter dated November 26, 1979 VEPCO responded to our letter of November 9, 1979 and the NRC Task Force is well along with its review of the information. On December 19th and 20th the NRC Task Force met with VEPCO representatives at the North Anna Unit No. 2 site and discussed matters related to the VEPCO submittal and our review. As a result of our review, VEPCO is responding to our remaining concerns and we will review their response promptly upon submission.

In addition to the above requirements, Commission review of the results of other investigations, including the Presidential Commission and the NRC's Special Inquiry Group, can be expected to lead to additional requirements for use in licensing reviews of new plants. We are in the final stages of development of an Action Plan for Commission review and approval implementing recommendations of the President's Commission and other studies resulting from the TMI-2 accident. This Action Plan will include new or improved safety objectives, the detailed criteria for their implementation and the various implementation deadlines. Our proposed schedule and process is as follows:

- January 7, 1980 Meet with Advisory Committee on Reactor Safeguards (ACRS) Subcommittee to review draft Action Plan.
- January 9, 1980 Meet with Commissioners to continue discussion of Action Plan.
- January 10, 1980 Meet with full ACRS on Action Plan.
- January 21, 1980 Issue revised draft Action Plan incorporating comments as appropriate.
- February 15, 1980 Submit final draft of Action Plan (includes modifications as necessary to address the report of the NRC Special Inquiry Group and refined NRC and industry resource estimates) to the Commission for review and approval.

As indicated in the Policy Statement on the TMI-2 accident issued by the Commission on October 4, 1979, no new licenses for nuclear power reactors will be authorized by Atomic Safety and Licensing Boards or issued by the NRC staff, except after further order of the Commission itself.

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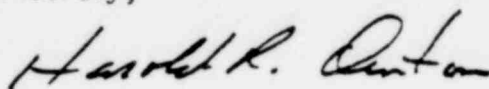
The Honorable Marshall Coleman

- 3 -

JAN 9 1980

By letter of December 5, 1979, VEPCO proposed a special test program to be conducted at power levels no greater than 5% similar to an earlier proposal to the Commission by TVA to be conducted at their Sequoyah facility. We are in the process of reviewing these special test programs and I hope to make a recommendation to the Commission concerning these proposals in February. However, as stated by Chairman Ahearne in the enclosed letter to TVA, until the Commission has completed the reviews necessary to ensure that operating reactors are adequately responding to the lessons learned from the TMI accident, only limited resources will be available for reviews associated with issuing new operating licenses.

Sincerely,



Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Enclosure:
As stated

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