

Commonwealth of Virginia



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MARSHALL COLEMAN  
ATTORNEY GENERAL

December 14, 1979

The Honorable John F. Ahearne  
Interim Chairman  
U.S. Nuclear Regulatory Commission  
1717 H Street, N.W.  
Washington, D.C. 20555

Dear Chairman Ahearne:

I was pleased to learn that a nine-member task force has been named to review the license application for North Anna Station, Unit 2, and that this task force had its initial meeting with VEPCO officials on November 30, 1979. This was subsequent to my letter of November 23, 1979, and the letters from Governor Dalton, the Virginia Congressional delegation, and the State Corporation Commission, and I am pleased to see the apparent responsiveness of the NRC to our concerns.

On December 3, 1979 I received a phone call from Mr. Len Bickwit, of the General Counsel's Office, who read a letter dated that day from Mr. Hendrie, which I received on December 10, 1979. This letter holds out the possibility of a policy statement allowing "resumption of licensing of completed or nearly completed plants such as North Anna 2" and Mr. Bickwit has represented that resumption of licensing in the near future was, in fact, highly probable.

Recent events have raised questions about the timing of any resumption in licensing. No policy statement has been forthcoming from the Commission. There has been a reassignment of leadership responsibilities at the Commission, and other organizational changes have been proposed by President Carter. For these reasons, I must request

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that the NRC provide the Commonwealth with a clear and definite statement of its position on the resumption of the licensing process with respect to North Anna 2.

Three issues are of primary concern to me. First, it is essential that we be assured that the application on North Anna 2 is under active review and will be completed in a timely fashion. Second, it is important that the Commission allow North Anna 2 to load fuel and conduct pre-operational tests in advance of implementing TMI-related recommendations. Third, once TMI-related concerns have been addressed by VEPCO and licensing reviews completed, we need to know whether the Commission is prepared to issue an operating license for North Anna 2.

If the task force is addressing licensing issues and will soon issue a timetable for continuing the licensing procedure for North Anna 2, then my concerns may be met. I would appreciate your advising me whether this is the case.

I am enclosing for your information an analysis of the economic impact of nuclear outages in Virginia prepared for Governor Dalton by an independent consultant.

As I am sure you realize, present delays in the licensing process cannot be recaptured later and, thus, necessarily result in an equivalent delay in bringing North Anna 2 on line. Because it is my statutory duty in Virginia to represent both the Commonwealth and consumer interests and because it is clear that those interests are adversely affected by each day of delay in the licensing of North Anna 2, I am requesting that you respond to this letter by December 26, 1979.

Sincerely,



Marshall Coleman  
Attorney General

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cc: Nuclear Regulatory Commissioners  
The Honorable John N. Dalton  
Virginia Congressional Delegation  
State Corporation Commissioners

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