

TERA
50-320



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

MAY 19 1980

Mrs. Theron Ralston
310 E. Main
Homer, Michigan 49245

Dear Mrs. Ralston:

This is in reply to your letter of January 29, 1980, to President Carter about licensing nuclear power plants.

A statement by President Carter on December 7, 1979, about the Report of the President's Commission on the Accident at Three Mile Island (the Kemeny Commission) included the following:

"Finally, I would like to discuss how we manage the transition period during which the Kemeny recommendations are being implemented. There are a number of new nuclear plants now awaiting operating licenses or construction permits.

"Licensing decisions rest with the NRC and, as the Kemeny Commission noted, it has the authority to proceed with licensing these plants on a case-by-case basis, which may be used as circumstances surrounding a plant dictate. The NRC has indicated, however, that it will pause in issuing new licenses and construction permits in order to devote its full attention to putting its house in order. I endorse the approach the NRC has adopted, but I urge the NRC to complete its work as quickly as possible, and in any event no later than six months from today.

"Once we have instituted the necessary reforms to assure safety, we must resume the licensing process promptly so that the new plants which we need to reduce our dependence on foreign oil can be built and operated."

The Nuclear Regulatory Commission is committed to protect the public health and safety. The Three Mile Island accident resulted in a need for changes in the approach to safety. The Nuclear Regulatory Commission has found that actions recommended by its own staff and by the President's Commission on the Accident at Three Mile Island in the areas of human factors, operational safety, emergency planning, nuclear power plant design and siting, health effects, and public information are necessary and feasible. Interim measures have been taken in these areas.

At this time we are preparing for review and approval by the Nuclear Regulatory Commission an Action Plan that will specify the precise actions to be taken. It will include new or improved safety objectives,

8007180546 #

Mrs. Theron Ralston

-2-

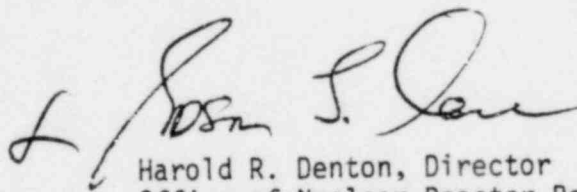
MAY 19 1980

detailed criteria for their implementation, and various implementation deadlines. As soon as the Action Plan is completed and approved, the resulting regulatory requirements will be transmitted to all utilities concerned.

It is recognized that there will be a significant effect on the availability of power generating capacity if those plants now in the final stages of construction do not receive operating licenses by the dates previously anticipated, and every effort is being made to avoid unnecessary delays. With this objective, the Commissioners have approved the issuance of NRC licenses for three nuclear power units to load fuel and, under specified conditions, to operate at low power levels for testing.

You compared fines imposed on the Palisades and Three Mile Island nuclear power plants. Apparent inconsistencies result from restrictions on NRC statutory authority to impose civil penalties. The NRC has sent forward a request to Congress to increase the maximum allowable penalties. This would provide greater incentives for licensees to comply with regulatory requirements and would permit penalties to reflect more equitably the different classes of licensees and the seriousness of offenses.

Sincerely,



Harold R. Denton, Director
Office of Nuclear Reactor Regulation

NR

310 E. Main
Homer, ME 49245
January 29, 1980

The President
Jimmy Carter
The White House
Washington, D. C. 20500

Dear Sir:

RE: Nuclear power

The NRC must resume licensing of nuclear plants and must not be allowed to curb a vital source of energy.

Why are the NRC allowed to refuse operating licenses to the seven nuclear power reactors ready to operate in June, when they meet the same standards as the ones now in operation?

Your committee that you appointed "Kemeny Commission" has given you a highly critical report of the NRC, yet you appear to do nothing to curb the NRC, even though after the report the NRC tightened its regulations of utility companies.

The fact that the NRC put a fine of \$450,000 (the largest in their history) on the Palisades nuclear plant near South Haven, Michigan, when on their own initiative corrected & reported the situation and only a \$155,000 fine on the Three Mile Island operation, ought to tell you the NRC is not functioning properly or fairly.

Your urgent attention is needed on this matter. We do not need both the NRC and OPEC giving us problems.

Respectfully,
Wm. Theron Rablton