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MIDDLE SOUTH UTILITIES, INC/BOX 61005/NEW ORLEANS, LA 70161/(504) 529-5262

FLOYD W. LEWIS
CHAIRMAN/CHIEF EXECUTIVE

February 18, 1980

The Honorable John F. Ahearne
Chairman
U. S. Nuclear Regulatory Commission
1717 H Street, N.W.
Washington, D. C. 20006

Dear Chairman Ahearne:

The TMI Ad Hoc Nuclear Oversight Committee has worked to assure that industry efforts are sharply focused on the best insights that can be gained from the Three Mile Island experience. We have seen and are seeing very real progress within the industry toward this goal.

Currently, however, we are concerned that the NRC's and industry's combined efforts to raise the level of safety in design and operations in nuclear systems will be thwarted by an unmanageable burden of new requirements for changes. The short-term concern is that the required responses to NRC requests for information, implementation of requirements, continuing design, plant operations and construction, and operator training functions, is overloading available resources both in industry and NRC. Key industry personnel are being continually diverted from their primary duties.

The long-term effect of the prospect of numerous additional regulatory requirements is to raise the level of uncertainty regarding what will be required in the future for nuclear power. Such increased uncertainty militates against commitments to already planned and future nuclear stations at a time when such commitments would surely be in the best interests of the United States. Protracted uncertainty in regulations and the regulatory processes will further cripple or stop nuclear power and turn our combined efforts to improve safety into a morass of unresolvable technical and legal issues.

Thus, we urge that you limit additions of proposed near- and long-term safety requirements to those that have real safety significance. The industry has responded to actions required by "Short-Term Lessons Learned" (NUREG-0578) as quickly as practical limitations have permitted. And, we are trying to respond similarly to the new requirements being formulated in NUREG-0660.

The Honorable John F. Ahearne

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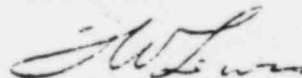
However, to focus attention on important issues, a system for assignment of priorities is needed badly. Many issues now being considered are of incidental, if any, safety significance; but they nevertheless require expenditure of manpower effort and funds by industry and by the NRC. In establishing significance, we suggest that issues which clearly lead to the prevention of safety-significant incidents (i.e., involving the core or radioactive material release) should have priority over those which serve to mitigate the consequences of a hypothetical accident sequence. Prevention should receive priority.

We sincerely wish to reach an understanding with NRC on future nuclear safety requirements and the processes by which the regulations will be developed and monitored. We think that it is now in the highest national interest to do so as rapidly as possible.

Accordingly, an intense coordinated industry activity, using the combined resources of the Atomic Industrial Forum and the Nuclear Safety Analysis Center, is now underway to define the scope, content, priorities and impact of the action plan requirements. We expect to be able to make the results of this effort available to you during the week of February 25. As the preliminary results are now showing, the very large number of proposed changes to licensing and regulatory practices can be reduced by a responsible selection process; conversely, the failure to do so can have grave impacts on plants in operation and in various stages of construction.

In concert with this industry effort and the above message it presents, we believe that Commission leadership is urgently needed in setting a course of action that will take advantage of the lessons learned that are of primary safety significance. Resources must be directed to implementing these lessons, resuming the orderly functioning of utility operations and moving forward with casework reviews that will produce licenses. To do less, we believe, will be contrary to the public interest.

Sincerely,



Chairman, TMI Ad Hoc Nuclear
Oversight Committee

FWL:js

Attachment - CC Recipients

The following received a copy of the letter
to Chairman Ahearne dated February 18, 1980:

Mr. Thomas Ayers
Mr. Lee Everett
Mr. William Lee
Mr. Frank Linder
Mr. Jack Pfister
Mr. John Selby
Mr. Frank Warren
Mr. Carl Walske
Mr. Bob Szalay
Dr. Floyd Culler
Dr. Chauncey Starr
Mr. Ed Zebroski
Mr. Byron Lee
Mr. William McCollam
Mr. Jack Kearney
Mr. Lawrence Hobart
Mr. Robert Partridge
Mr. Floyd Conway
Dr. Clark Gibbs
Mr. George White