

ENCLOSURE

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October 4, 1989

Mr. Stewart W. Brown
Project Manager
Division of Reactor Projects-I/II
Office of Nuclear Reactor Regulation
Mail Stop 14-E21
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

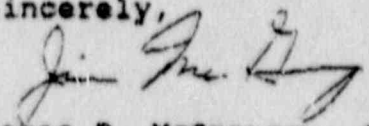
Dear Mr. Brown:

I have reviewed pages 83-86 of the transcript of the Upper Management Conference between Nuclear Regulatory Commission Staff and Long Island Lighting Company dated September 28, 1989 from the beginning of my comments until the end of the meeting.

Our tape of that meeting indicates that the changes made in handwriting on the attached pages 83-86 are needed in order to correct that transcript.

With many thanks for your consideration, I am,

Sincerely,



James P. McGranery, Jr.

JPM:jmb
Enclosure

1 intentions to review the way you normally review operations,
2 and we'll keep you informed through the region as to where
3 we stand and make the packages available.

4 MR. BROWN: Okay. If there are any members of
5 the public that would like to make a statement at this time,
6 please come forward and identify yourself and please speak
7 into the microphone here.

8 Yes.

9 MR. McGRANNERY: James P. McGrannery, Jr. My
10 affiliation was given earlier.

11 I'd like to address my comments to the staff.

12 I was very encouraged at the beginning of the
13 meeting when Dr. Murley said that the staff was not going to
14 be allowing piecemeal decommissioning. Very positive.

15 However, we then had a presentation in which the
16 licensee outlined three categories of equipment that it is
17 going to be making ^{to} ~~out~~ systems. It is going to be putting
18 away in storage a third of the plant's operating systems.
19 It then detailed a procedure that it had for deciding how to
20 mothball or store these systems.

21 Gentlemen, that's piecemeal decommissioning.
22 That's what you said you weren't going to allow.

23 And Dr. Murley also said that not until this day
24 had he seen those categories of equipment or systems. You
25 asked some questions about some of them, ^{As to what this}

1 difference is between operational and functional. You were
2 given some information about some of them.

3 There's no reason why you can't ask, order, the
4 licensee to deliver the particular evaluations of all of
5 those systems to you so that at this very sensitive stage
6 you can make your own independent judgment of whether they
7 are being properly categorized and maintained.

8 Finally, I would like to mention a word that I did
9 not hear. It's called NEPA, ^{the} National Environmental Policy
10 Act.

11 I know that last year you amended your rules to
12 not require an Environmental Impact Review of every reactor
13 decommissioning. Your basis for that was a ^{GEIS} ~~study~~ which
14 considered as its basis that the reactor had either reached
15 the end of its operating life through age, or the end of its
16 operating life through accident. It did not consider this
17 case.

18 This is a case where we have a brand new reactor
19 and therefore one of the alternatives to be considered is
20 operation. Whether LILCO operates it or not is a separate
21 question. And whether LILCO's characterization of its
22 agreement as being ^{set in} ~~second~~ stone is correct nor not ~~is~~ a
23 separate question.

24 I think that you need to do an environmental
25 review before you allow this decommissioning to go forward.

1 Thank you very much.

2 DR. MURLEY: Okay. Let me respond very briefly.
3 I don't want to get into extended dialogue. But I think the
4 comments are good and I think they deserve an answer.

5 The first comment was the three categories of
6 systems. One category of which is the preservation group of
7 systems where the utility is ^{planning,} developing lay-up procedures.

8 We do not regard that as piecemeal
9 decommissioning. In fact, the whole purpose of the lay up
10 is to make sure that they are maintained operational and
11 that they can be restored to service if that's planned.

12 Your second point was that we had not seen the
13 categories of the systems today and there is no reason that
14 we could not--I guess your point is no reason that we have
15 to accept that category or that we could not change it.

16 That's quite true. We do intend to review all the
17 categorization of the three types of systems, operational,
18 functional and protected. And we'll satisfy ourselves that
19 those are the appropriate list of systems in those
20 categories.

21 With regard to NEPA, I should say that, of course,
22 any request for a licensing action or a change in the
23 licenses ^g will trigger certain NEPA functions.

24 I'll ask my counsel if there are any other
25 comments on that matter.

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MR. SCINTO: *No* We will carry out *our NEPA* ~~on the~~ obligations and do an environmental review required for the action that is asked of us.

And I'll touch on the other word that you didn't mention and that one, we will not engage in improper segmentation. We ~~will~~ ^{won't} allow ~~to~~ ^{them} to engage in improper segmentation.

DR. MURLEY: It's always good to hear our counsel ~~or~~ say that we will ~~leave it alone~~ ^{obey the law}.

MR. BROWN: Are there any more comments or statements?

Then this meeting is adjourned. Thank you.

(Whereupon, at 3:40 p.m., the meeting was adjourned.)