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 PROPOSED RULE

The Honorable John Ahearne  
 Chairman, Nuclear Regulatory Commission  
 Washington, D.C. 20515

Dear Mr. Chairman:

Today's Washington Post story on issuance of an Operating License for North Anna Unit 2 suggests that Commission staff has authority to issue licenses without formal approval by the Commission itself. This is counter to my understanding that, pursuant to the Commission's policy statement of October 4, 1979, the Commission had withdrawn its previous delegation of authority allowing staff to issue reactor Construction Permits and Operating Licenses without explicit Commission approval.

Of all responsibilities Congress has assigned to the Commission none is more vital than issuance of power reactor Construction Permits and Operating Licenses. We are now in a period when licensing decisions will necessitate difficult choices as to which of the post-Three Mile Island requirements must be satisfied prior to issuance of a Construction Permit or Operating License, and which might be satisfied at a later date. It is entirely appropriate, particularly at this time, that such choices be made by the Commission.

I believe the Commission acted wisely in adopting the October 4, 1979 policy. This action was a significant step toward restoring confidence in the NRC's ability to fulfill its regulatory missions. I believe also that it is important that the public be aware of this aspect of the Commission's licensing policy. I would recommend, therefore, that each licensing action taken in accordance with the October 4 policy should be accompanied by a statement explaining the basis for the Commission's involvement in the issue at hand.

Sincerely,  
*Morrison*  
 MORRIS K. UDALL  
 Chairman

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