



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

September 9, 1980

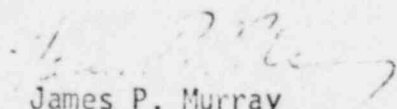
The Honorable James Moody  
Wisconsin Senate  
State Capitol  
Madison, Wisconsin 53702

Dear Mr. Moody:

Your August 22, 1980 letter to Chairman Ahearne regarding your concerns on the Point Beach Unit 1 facility has been referred to me for response. As you may be aware, the Commission has referred a request by Wisconsin's Environmental Decade for an adjudicatory hearing to an Atomic Safety and Licensing Board for a determination of whether a hearing is required. As part of its adjudicatory functions, the Commission may be called upon to participate in the review of the decisions and rulings of the Licensing Board in connection with the ongoing proceeding. Since your letter deals with matters relevant to Wisconsin's Environmental Decade's request, it would be inappropriate for the Commission to comment on your letter at this time.

A copy of your letter and this response will be sent to the Atomic Safety and Licensing Board and all participants in the proceeding.

Sincerely,

  
James P. Murray  
Director and Chief Counsel  
Rulemaking and Enforcement Division  
Office of Executive Legal Director

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JOSEPH STROHL  
STATE SENATOR

August 22, 1980

Mr. John F. Ahearn, Chairman  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Mr. Ahearn:

We are writing to express our deep concern with the potential safety consequences from steam generator tube degradation at Unit One of the Point Beach Nuclear Plant. Although at this point in time we are not prepared to take a position regarding the type of corrective action that may be necessary, testimony before the Senate Subcommittee on Utilities has clearly shown that there is an urgent need for a full adjudicatory hearing on these safety issues.

Frankly, we consider it completely unacceptable for the Commission to have postponed hearings and resolution of this critical generic safety issue, recognized by independent scientists, for so long. With Point Beach having experienced the worst tube rupture in this country, and with it presently undergoing the worst rate of tube degradation of any U.S. plant, it is imperative that hearings begin as soon as possible. A thorough investigation of the safety issues involved at Point Beach is only the first step toward solving the problem of generator tube degradation and the associated question of liability for the cost of solving that problem.

Please inform us of whatever action you take on this request and keep the Subcommittee abreast of continuing developments in this area. Your consideration of this matter will be greatly appreciated.

Sincerely,

JOE STROHL  
CHAIRMAN  
Senate Subcommittee on  
Utilities

DAVID BERGER  
STATE SENATOR  
5th Senate District

JAMES MOODY  
STATE SENATOR  
9th Senate District

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

September 9, 1980

The Honorable Wayne W. Wood  
State Representative  
Wisconsin Legislature  
34 West  
State Capitol  
Madison, Wisconsin 53702

Dear Mr. Wood:

Your August 19, 1980 letter to the members of the Nuclear Regulatory Commission regarding a May 1980 decision of the Commission on the Point Beach Unit 1 facility has been referred to me for response. As you are aware, the Commission has referred a request by Wisconsin's Environmental Decade for an adjudicatory hearing to an Atomic Safety and Licensing Board for a determination of whether a hearing is required. As part of its adjudicatory functions, the Commission may be called upon to participate in the review of decisions and rulings of the Licensing Board in connection with the ongoing proceeding. Since your letter deals with matters relevant to Wisconsin's Environmental Decade's request, it would be inappropriate for the Commission to comment on your letter at this time.

A copy of your letter and this response will be sent to the Atomic Safety and Licensing Board and all participants in the proceeding.

Sincerely,

A handwritten signature in dark ink, appearing to read "James P. Murray".

James P. Murray  
Director and Chief Counsel  
Rulemaking and Enforcement Division  
Office of Executive Legal Director

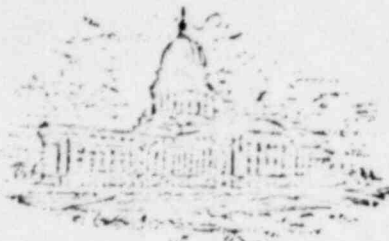
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WAYNE W. WOOD  
STATE REPRESENTATIVE  
45th District

Office:  
34 West  
State Capitol  
Madison, WI 53702  
Telephone: (608) 266-9172

Home:  
2429 Rockport Road  
Janesville, WI 53545  
Telephone: (608) 752-3790



WISCONSIN LEGISLATURE  
ASSEMBLY CHAMBER  
MADISON  
53702

August 19, 1980

CHAIRMAN:  
*Joint Survey Committee on  
Retirement Systems  
Retirement Research  
Committee*

VICE-CHAIRMAN:  
*Small Business Committee*

MEMBER:  
*Labor Committee  
Local Affairs Committee  
Government Operations  
Committee*

Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Commissioners:

I am writing to request the Commission to reconsider its decision of May 12, 1980, which excluded certain safety issues from the Atomic Safety and Licensing Board's investigation of tube degradation within the state's nuclear power plants.

Specifically, I urge the Commission to order a full scale adjudicatory hearing on the safety issues regarding steam generator tube degradation.

The possible effect of steam generator tube failure on the emergency core cooling system of nuclear reactors has been raised as a safety problem by the American Physical Society, independent study groups, and Commission staff beginning in 1976. Yet nothing has been decided regarding this generic issue.

Documents filed with the Wisconsin Public Service Commission indicate that tube corrosion in one of the state's nuclear power plants near Point Beach is one of the worst cases of tube degradation of any of the nation's nuclear reactors. Since August, 1979, a total of 400 steam generator tubes have required plugging due to corrosion. There have been serious questions posed as to whether the reactor core can be adequately cooled in the event of a loss-of-coolant accident, and this issue definitely deserves a thorough examination.

The problems and inconvenience that nuclear power plant shutdowns could have on utility companies is certainly not a concern that can be discarded lightly. In light of the Three Mile Island incident and the follow-up studies, however, the Commission must maintain an overriding concern to assure operational safety.

It is my sincere hope that the Commission will favorably respond to the request by Governor Lee Dreyfus, the Wisconsin Department of Justice, and myself and other lawmakers to order a full scale examination of the tube degradation problem by holding the adjudicatory hearing which the issue demands.

Sincerely,

WAYNE W. WOOD  
State Representative  
45th Assembly District

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

September 9, 1980

The Honorable Tom Loftus  
State Representative  
Wisconsin Legislature  
327 West  
State Capitol  
Madison, Wisconsin 53702

Dear Mr. Loftus:

Your August 20, 1980 letter to the members of the Nuclear Regulatory Commission regarding a May 1980 decision of the Commission on the Point Beach Unit 1 facility has been referred to me for response. As you are aware, the Commission has referred a request by Wisconsin's Environmental Decade for an adjudicatory hearing to an Atomic Safety and Licensing Board for a determination of whether a hearing is required. As part of its adjudicatory functions, the Commission may be called upon to participate in the review of decisions and rulings of the Licensing Board in connection with the ongoing proceeding. Since your letter deals with matters relevant to Wisconsin's Environmental Decade's request it would be inappropriate for the Commission to comment on your letter at this time.

A copy of your letter and this response will be sent to the Atomic Safety and Licensing Board and all participants in the proceeding.

Sincerely,

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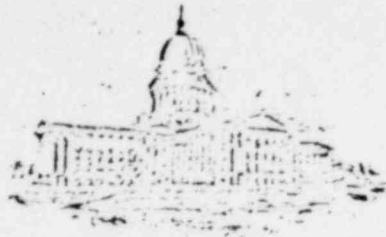
James P. Murray  
Director and Chief Counsel:  
Rulemaking and Enforcement Division  
Office of Executive Legal Director

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TOM LOFIUS

Office:  
327 West  
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Madison, WI 53702  
Telephone: 608-266-3750

Home:  
1027 Cory Way  
Sun Prairie, WI 53590  
Telephone: 608-837-8420



WISCONSIN LEGISLATURE  
ASSEMBLY CHAMBER  
MADISON  
53702

STATE REPRESENTATIVE  
25th Assembly District  
Dane County

VICE CHAIRMAN:  
*Committee on Health &  
Social Services  
Chairman, Subcommittee  
on Welfare Reform*

MEMBER:  
*Committee on Energy  
Committee on  
Environmental Protection  
Steering Committee,  
Health Planning Council*

August 20, 1980

Commissioner John F. Ahearne  
Commissioner Victor Gilinski  
Commissioner Joseph M. Hendrie  
Commissioner Peter A. Bradford

Commissioner's Office  
Nuclear Regulatory Commission  
Washington, D. C. 20555

Dear Commissioners,

Faced with the primary role of assuring safety in the operation of nuclear powered electrical generating facilities, I believe it is paramount that the Commission immediately order a full scale adjudicatory hearing on the safety concerns resulting from steam generator tube degradation.

Beginning in August of 1979, Point Beach I, one of Wisconsin's nuclear power plants, began to experience runaway corrosion of the facility's steam generator tubes.

According to documents filed with the Wisconsin Public Service Commission, 97 of the unit's 6,250 tubes required plugging due to corrosion on August 5, 1979. Four more required plugging several days later. But the worst corrosion occurred from October 5, 1979 through August, 1980. A total of 299 tubes became inoperable.

The possible effect of steam generator tube failure on the emergency core cooling system of nuclear reactors has been a safety issue raised by NRC staff and independent studies for quite some time now. Yet nothing has been done.

The Commission's decision in May, 1980 to delegate the issue of tube degradation to an Atomic Safety and Licensing Board was also woefully inadequate. By limiting the issues under investigation in such a manner to specifically exclude the very safety issues which were of concern, the Commission has effectively abdicated its responsibilities to assure safety in the operation of our state's nuclear power plants.

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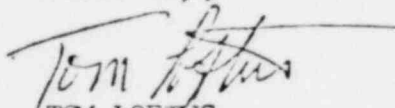
NRC

August 20, 1980

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Currently, the Wisconsin Department of Justice at the request of Governor Lee Dreyfus has joined in support of an adjudicatory hearing on these safety issues. I urge the Commission to reconsider its earlier order excluding these safety issues from any hearing, and to approve a rigorous and detailed examination of the tube degradation problem in the form of an adjudicatory hearing. The issue demands this because of its seriousness. The public deserves this because of its concerns regarding the continued safe operation of nuclear powered electrical generating plants in our state.

Sincerely,

  
TOM LOFTHUS  
State Representative

TL:sm

cc: Wisconsin Environmental Decade

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )

WISCONSIN ELECTRIC POWER COMPANY )  
(Point Beach Nuclear Plant, )  
Unit 1) )

Docket No. 50-266 CO  
(Modification of License)

CERTIFICATE OF SERVICE

I hereby certify that copies of VARIOUS LETTERS TO THE COMMISSION AND THE STAFF'S RESPONSE (Letters to Joseph Strohl, David Berger and James Moody, Wisconsin Senators and Tom Loftus and Wayne Wood, Wisconsin Legislators from James Murray, Office of Executive Legal Director) in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or, as indicated by an asterisk, through deposit in the Nuclear Regulatory Commission's internal mail system this 12th day of September, 1980.

Herbert Grossman, Esq.\*  
Chairman  
Atomic Safety & Licensing Board  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Dr. Richard F. Cole\*  
Atomic Safety & Licensing Board  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Dr. J. Venn Leeds  
10807 Atwell  
Houston, Texas 77096

Atomic Safety & Licensing Board Panel\*  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Atomic Safety & Licensing Appeal Board\*  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

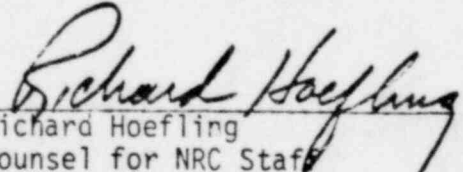
Docketing & Service Section\*  
Office of the Secretary  
U. S. Nuclear Regulatory Commission  
Washington, D.C. 20555

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Wisconsin's Environmental Decade, Inc.  
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Madison, Wisconsin 53703

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Wisconsin Electric Power Company  
Attn: Mr. Sol Burnstein, Exec. V. Pres.  
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Patrick Walsh, Esq.  
Assistant Attorney General  
State of Wisconsin/Dept. of Justice  
114 East, State Capitol  
Madison, Wisconsin 53702

  
Richard Hoefling  
Counsel for NRC Staff