

Consequently, I agree with the Licensing Board that we are not required to consider psychological stress. I agree that the best way to decrease such stress is to insure the plant is safe if it is approved for operation. I believe the NRC (Commission and staff) must insure clear and accurate information is provided regarding what is being done. And I believe the Licensing Board, ~~the Appeal Board~~, and the Commission should play their proper roles in assuring that safe operation be the appropriate requirement.

I do not agree with the separate views of Commissioners Gilinsky and Bradford. Basically I believe their analyses present the issues as being much simpler than they really are.

For example, in commenting on the approach I have advocated Commissioner Gilinsky states: "Ironically, in its only ruling to date on safety issues in this case, the Commission took the narrowest possible view of its safety responsibilities to preserve the discredited assumptions of the hydrogen control rule." The Commission's "view of its safety responsibilities" is more complicated than one would be led to believe from reading Commissioner Gilinsky's comment. The Commission has made no final decision concerning the issues related to hydrogen control. It has already taken some actions and is actively considering additional steps.

Similarly, an example of Commissioner Bradford's failure to address the complexities inherent in this issue is his assertion that "The Commission has the authority, at least under NEPA, to consider psychological factors and to take actions necessary to mitigate them." To support his proposition Commissioner Bradford cites a case in which the Commission was found to have jurisdiction to mitigate the environmental impacts of transmission lines. <sup>6/</sup> While this case may have some relevance, it is hardly conclusive.

Although I have additional disagreements with the views of Commissioners Gilinsky and Bradford, including disagreements with views which the reader of Commissioner Bradford's opinion might believe belong to those who disagree with Commissioner Bradford, e.g., to me, past experience shows that reasoned arguments are of little interest to those whose minds are made up.

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<sup>6/</sup> Although the Court described the Licensing Board decision (which was based in part on visual impacts of the transmission lines and in part on the more traditional consideration of impact on waterfowl) in the "Background" discussion, it did not focus on the need for or propriety of considering various types of impacts. There was no reason for it to address the question since petitioners had conceded the proposed routes were superior. Public Service Company of New Hampshire v. NRC, 582 F.2d 77, 85 n.15 (1st Cir. 1978).

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