



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

OFFICE OF THE  
COMMISSIONER

May 13, 1981



The Honorable James T. Broyhill  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, D. C. 20515

Dear Congressman Broyhill:

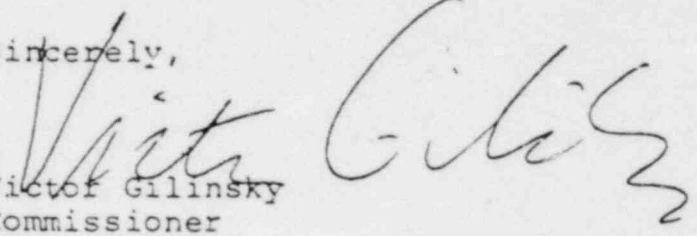
I am writing in response to your request for Commission comments on the two amendments to the NRC authorizations for FY 1982 and 1983 which you, Mr. Moorhead, and Mr. Corcoran intend to propose. Since our Chairman has prepared a personal, rather than a Commission response, I am writing to give you my own views.

With regard to the provision overturning the Sholly decision, I think that the corresponding provision in the bill reported out by Senator Simpson's Subcommittee has two significant advantages. First, it requires the Commission to define the term "no significant hazards consideration". This would help assure sound and consistent application of the provision. Secondly, the Senate bill would incorporate this provision as an amendment to the Atomic Energy Act rather than as an authorization measure whose authority would expire in two years.

With regard to the provision authorizing issuance of interim operating licenses, the interim low power license proposed by the Commission, coupled with the actions the Commission is taking, should eliminate most of the gap between completion of construction and issuance of a full term operating license. In attempting to eliminate these problems, the effect of temporary remedial measures on the integrity of the hearing process needs to be considered, so long as Congress wishes to retain these hearings. I think that the Senate Subcommittee's version of this bill, which provides that licensees should obtain a low power interim license prior to seeking a license to operate at higher power levels, and which provides somewhat greater procedural safeguards for full power approval, would do less damage to the Commission's hearing process.

Please let me know if I can provide you with further information on these matters.

Sincerely,

  
Victor Gilinsky  
Commissioner

cc: Senator Alan Simpson  
Senator Gary Hart  
Congressman Richard Ottinger