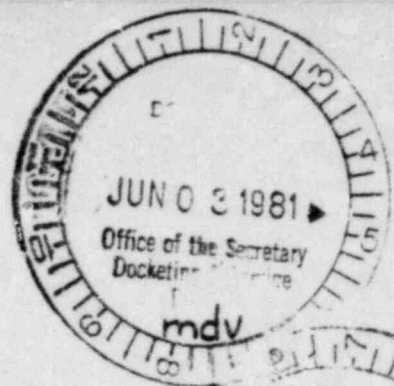
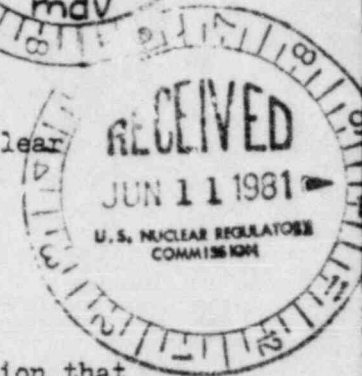


Mrs. David H. Boltz  
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BUCKET NUMBER  
PROPOSED RULE PR-50 (2)  
(46 FR 26491)



Mr. Samuel J. Chilk  
Secretary of the Commission  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555



RE: Request to Congress to Grant Interim Licenses to Completed Nuclear Power Plants Prior to the Completion of Public Hearings

April 27, 1980

Dear Secretary Chilk:

I wish to express my strong objection to Chairman Hendrie's suggestion that the TMI-related backlog of nuclear power plants awaiting operating licenses necessitates the incredible notion of granting interim operating licenses to those plants which are now, or which will soon be, completed—prior to the completion of required public hearings. Such pre-empting of the public's right to participate meaningfully in resolving allegations of construction deficiencies, emergency plan inadequacies, and other problems in areas dealing with the public's health and safety, as required in the regulations, is appalling. Such blatant disregard for the contributions made by the public in the hearings is astounding—for the Commissioner asserts that such interim licenses would only be granted "where all applicable health and safety requirements have been met" (NRC News Releases, 3/17/81, p. 2). Does the Commissioner imply by this statement that such judgments on the adequacy of such compliance are routinely made before public hearings begin—before intervenors' contentions relating to health and safety have been resolved? If so, he wonders why the NRC bothers to hold hearings at all!

Several other questions come to mind after reflecting momentarily upon this proposal: (1) How long an "interim" operating license period is the Commissioner proposing? A month? Two? Ten? Once the plant is operational and functioning even at a low test level, wouldn't the utility have little or no incentive to respond to intervenors' questions? (2) Wouldn't the issuance of such a "learner's permit" prejudice the full-scale operating license hearings in favor of the licensee? For if, for say a month of low-level testing, no discernable flaws were noted, wouldn't the NRC staff and the Hearings Boards conclude that such a good record constituted proof positive that the intervenors' contentions were, in fact, groundless—and move for summary disposition on the basis of the interim results?

I strongly suspect that if interim operating licenses were, in fact, granted, such scenarios would become commonplace and the issues raised by concerned citizens would never be considered or resolved. In effect, I suspect that if the interim licensing process were begun, it would effectively short-circuit the hearings process itself, stifling valid contentions and leaving crucial questions unresolved.

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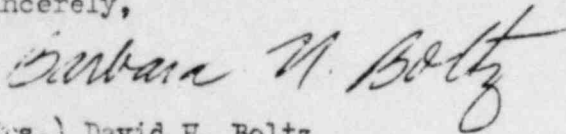
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Interim Licenses Prior to Hearings  
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It would seem to me that, after TMI, the last thing that the Commission would want to do is to allow safety-related issues to be swept under the rug. It would seem to me that the last thing that the Commission would want to do is to set up itself and the nation for another, perhaps even more dangerous TMI incident, by disregarding the special contribution of those concerned citizens in their own local area. It would seem to me that, upon sober reflection, the Commission would agree that the last thing it should do is to grant interim licenses to completed nuclear power plant operators before all health and safety and all other issues have been satisfactorily resolved in a completed public hearing. And if it isn't the last thing the Commission would want to do--it ought to be.

Sincerely,



(Mrs.) David H. Boltz

cc: Acting Chairman Joseph M. Hendrie  
cc: Senator John Tower  
cc: Senator Lloyd Bentsen  
cc: Representative Phil Gramm