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Bradford, N. J. 02406
April 28, 1981

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APR 30 1981

Secretary of the Commission
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Attention: ~~Marketing~~ and Service Branch

Re: NRC 10 CFR Part 2, Rules of Practice for Domestic Licensing
Proceedings - Expediting the NRC Hearing Process

Dear Sir:

I have studied the essential features of the NRC Proposed Interim Licensing Legislation as discussed in News Release 91-46, dated Week ending March 24, 1981. It is my judgement that what is being proposed is precisely opposite to the direction that should be taken - we need more careful rather than fewer regulatory restrictions. Particularly, the importance of public hearings and the Hearings in the Congress on nuclear issues remain vital, and due process rights of intervenors and the general public must not be ignored. The regulatory process must not deteriorate to autocratic decisions by the NRC chairman.

A temporary expedient in behalf of industry to speed up licensing based on economic grounds at the expense of full safety review reflects the continued short-sightedness of industry in calculating its own interests. It is my view that industry cannot, and the public will not, tolerate another Three Mile Island. In view of the total costs of a major accident including plant retrofits for improved safety, replacement power, the sociological and economic impacts on a community, and the decreased confidence in the NRC and the nuclear industry, one would expect industry to adopt the slogan, "Safety is Cost Effective". Evidently industry has not learned that nuclear safety is essential to both public health and to the financial risks in nuclear investment.

This proposed legislation adds fuel to the deteriorating confidence by the public that the NRC knows what it is doing. Instead of taking actions that will strengthen the trust of the public that NRC has concern for nuclear safety, this proposed action forces the public to question the motives and the responsibilities of the NRC. Confidence in the nuclear industry is not high owing to the continued problems that beset nuclear plants. These proposed licensing changes being pressured on the NRC by this same industry, will undermine even more, the confidence that this industry needs to go forward. More than this, I find it difficult to reconcile this action by NRC in behalf of industry when industry itself has been questioning the adequacy of NRC regulation. The claim filed by the TMI owners against the NRC for four billion dollars for their failure to alert them to design and equipment inadequacies suggests industry desire for more paternalism but fewer regulatory restrictions.

I would urge that the NRC withdraw this proposed legislation as being against the best interests of the public and the NRC itself.

Sincerely yours,

Samuel Seely, Jr.

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NEWS RELEASES

No. 81-46
Tel. 301/492-7715

FOR IMMEDIATE RELEASE
(Thursday, March 19, 1981)

NRC PROPOSES INTERIM LICENSING LEGISLATION

The Nuclear Regulatory Commission has asked Congress for authority to issue interim operating licenses for nuclear power plants, Commission Chairman Joseph W. Bendris announced today.

"As proposed," Dr. Bendris said, "the legislation would dictate that all of the Commission's requirements for protecting the public health and safety and the environment be in place before an interim license could issue. However, any required public hearing would not have to be completed—as is now the case—before fuel loading and testing and operation at up to five percent of full power could be authorized."

According to Dr. Bendris, "the proposed legislation represents an extraordinary and temporary cure for an extraordinary and temporary situation. It would give the Commission an important mechanism for minimizing the costs to consumers of delays in licensing for nuclear plants which have been projected for completion over the next two years. This situation is, in part, an indirect consequence of the Three Mile Island accident which required us to focus our attention and resources on a reexamination of our regulatory structure and the development of new safety requirements for facilities already licensed for operation. At the same time, utilities were continuing construction work—already authorized by the NRC—on new plants."

Other important features of the proposed legislation identified by Dr. Bendris include:

- Public hearings still would be held on applications to operate new nuclear power plants if requested in accordance with the Commission's regulations.
- Authorization of full power operation still would be contingent on conduct and completion of any required public hearing and any interim license would be subject to any findings and orders of the Commission after a hearing.
- Interim licensing authority would expire at the end of 1983, assuring that the relaxation of licensing requirements would be confined to those plants most severely impacted by the agency's response to the Three Mile Island accident.
- Operation of those plants most severely impacted would be advanced several months. Costs associated with delays in operation are estimated to be in the range of tens of millions of dollars a month for each completed plant.

In transmitting the proposed legislation to the President of the Senate and the Speaker of the House on behalf of the Commission, Chairman Bendris wrote:

"The Commission cannot, under existing law, take those measures to reduce the delay in licensing of the affected plants. The proposed legislation would result in very substantial savings for customers in the service areas of the affected plants...and, as indicated, would not alter any of the substantive standards and requirements of the Atomic Energy Act pertaining to public health and safety and the common defense and security or of NEPA."

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FOR IMMEDIATE RELEASE
(Friday, March 20, 1981)

NRC COMBINES STANDARDS AND RESEARCH OFFICES

William J. Dircks, the Nuclear Regulatory Commission's Executive Director for Operations, today announced the consolidation of the Commission's Offices of Nuclear Regulatory Research and Standards Development.

The consolidation of the two offices will assure that the results of the NRC's research programs are used more effectively in the development of regulations and guides and other criteria used to regulate the nuclear industry. It also will permit more effective and efficient use of staff resources.

Robert M. Minoque will continue as Director of the Office of Nuclear Regulatory Research, a position he has held since November 1980. Danwood Ross, currently Director of the Division of Systems Integration in the Office of Nuclear Reactor Regulation, will become Deputy Director.

The primary responsibilities of the office will be carried out through five divisions:

- The Division of Engineering Technology will develop and direct research and standards programs emphasizing the mechanical, structural, materials, chemical and electrical engineering aspects of nuclear safety.
- The Division of Risk Analysis will develop and direct research and standards programs for independent risk assessments of the nuclear activities regulated by the NRC.
- The Division of Health, Siting and Waste Management will direct the development of regulations, criteria and guides and research programs related to the siting of nuclear facilities, the management of radioactive wastes and the assessment of health risks resulting from exposure to ionizing radiation.
- The Division of Accident Analysis will develop and direct research and standards program for nuclear power plant behavior under transient and accident conditions including the study of behavior of nuclear fuel, reactor safety analyses and studies on the safety systems of light water power reactors.
- The Division of Facility Operations will develop and direct research and standards programs—with emphasis on human factors—for nuclear safety in the design, qualification, construction, inspection, testing, operation and decommissioning of nuclear facilities and the use of nuclear materials with emphasis on human factors.

The reorganization will be effective April 5.

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FOR IMMEDIATE RELEASE
(Friday, March 20, 1981)

NRC STAFF PROPOSES TO FINE TVA \$50,000 FOR ALLEGED NONCOMPLIANCE WITH NRC FIRE SAFETY REQUIREMENTS AT BROWNS FERRY

The Nuclear Regulatory Commission staff has proposed a \$50,000 civil penalty against the Tennessee Valley Authority for alleged noncompliance with NRC fire safety requirements at the Browns Ferry nuclear power plant near Athens, Alabama.