

COUNTY OF SUFFOLK

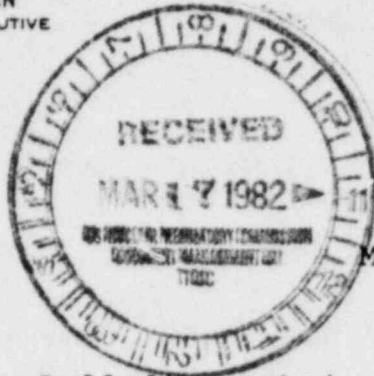


OFFICE OF THE COUNTY EXECUTIVE

PETER F. COHALAN
SUFFOLK COUNTY EXECUTIVE

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JOHN C. GALLAGHER
CHIEF DEPUTY



DOCKET NUMBER 50-322

March 5, 1982

Nunzio J. Palladino, Chairman
United States Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Chairman:

This is in reference to your letter to Congressman Tom Bevel, dated February 26, 1982, that transmitted the NRC's "Monthly Status Report to Congress." After reviewing your letter and the Status Report, I am concerned that the Commission may not realize either the seriousness of the safety issues pending before the NRC in the Shoreham case, or the importance to Suffolk County and its citizens that these issues be considered fairly and fully by the Commission. I am writing now to underscore Suffolk County's determination that the Shoreham plant be licensed to operate only if, after complete and objective hearings on the record, the plant is found safe and in compliance with all applicable regulations.

The licensing schedule enclosed with your letter to Congressman Bevel anticipates for the Shoreham plant "the early issuance of an operating license restricted to 5% power immediately following ASLB decision." Your Report then projects the ASLB decision to be in October 1982. I submit that these statements are inappropriate for a member of the Commission, which is in fact sitting as a quasi-judicial forum in the Shoreham case. First, the statements

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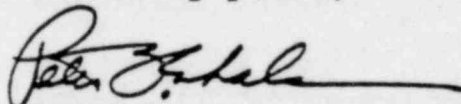
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TO: Nunzio J. Palladino, Chairman
FROM: Peter F. Cohalan, Suffolk County Executive
DATE: March 5, 1982
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suggest prejudgement by the Commission of the outcome of the licensing hearing. Second, the statements convey a not-so-subtle signal to the regulatory staff, and most significantly to the ASLB judges, that they are bound to a hearing schedule that must be completed by September and to a decision that must approve a 5% operating license for Shoreham.

I respectfully wish to state, Mr. Chairman, that there must be no artificial constraints, whether they be imposed by the Commission through promises or commitments to Congress or otherwise, that compromise the health and safety of Suffolk County's citizens. The hearings on the Shoreham plant must follow procedures that assure fair and thoroughgoing evaluations of all of the health and safety issues, and the timetable for ASLB and Commission decision-making must serve the ends of safety and objectivity alone. I hope that you share with me these principles for the Shoreham case, and I accordingly ask that you respond to me so that the views of the Commission will be clear to the citizens of Suffolk County and to the Commission's own staff in the upcoming Shoreham hearings.

Sincerely yours,



PETER F. COHALAN
SUFFOLK COUNTY EXECUTIVE

PFC:rjc

cc; Victor Gilinsky, Commissioner
Peter A. Bradford, Commissioner
John F. Ahearne, Commissioner
Thomas Roberts, Commissioner