

November 15, 1982

50-289

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Program Support Branch, NRR

Dear Mr. Huber:

I am writing in response to your letter to me dated August 3, 1982 concerning the UCS testimony before the House Committee of Interior and Insular Affairs.

Many of the concerns raised by UCS are not new, but were considered by the Licensing Board during the restart proceeding. The Licensing Board's decision is now under review by the Appeal Board where UCS is recounting many of the arguments which it outlined in its testimony before the House Committee. The NRC staff for the most part has disagreed with the UCS positions on what measures are necessary to assure the safe operation of TMI-1 and the staff has filed numerous documents and testimony supporting our positions.

With regard to specific safety issues identified in the UCS testimony, UCS complains that they did not have opportunity to litigate in the TMI-1 restart proceeding certain safety problems, such as fire protection and hydrogen control problems. These safety problems apply to all plants, not just TMI-1, and are being resolved generically. Continued plant operation during the period of time needed to resolve these issues is acceptable from a safety standpoint. The license to operate TMI-1 was suspended by the Commission because of certain specific concerns that the Commission had at the time. These concerns did not include some of the safety issues identified by UCS in its testimony, and thus some of the UCS concerns were not appropriate subjects for litigation in the TMI-1 proceeding. These problems are being resolved on TMI-1 in the same manner as they are resolved on other operating plants.

With regard to specific charges concerning the NRC's performance during the hearing, I have satisfied myself that there is no real basis behind those allegations. Thank you for your interest.

Sincerely,

Original Signed by
H. R. Denton

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

8211190046 821115
PDR ADOCK C5000289
H PDR

*See previous white for concurrences.

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 Program Support Branch, NRR

Dear Mr. Huber:

I am writing in response to your letter to me dated August 3, 1982 concerning the UCS testimony before the House Committee of Interior and Insular Affairs.

Many of the concerns and allegations raised by UCS are not new, but were considered by the Licensing Board during the restart proceeding. The Licensing Board's decision is now under review by the Appeals Board where UCS is recounting many of the same arguments which it outlines in their testimony before the House Committee. The staff for the most part has disagreed with the UCS positions on what measures are necessary to assure the safe operation of TMI-1 and the staff has filed numerous documents and testimony supporting our positions.

With regard to specific safety measures identified in the UCS testimony, UCS complains that they did not have opportunity to litigate certain unresolved safety problems such as fire protection and hydrogen control problems. These unresolved safety problems apply to all plants, not just TMI-1, and are being resolved as generic problems. The license to operate TMI-1 was suspended by the Commission because of certain specific concerns that the Commission had at the time. These concerns did not include some of the safety problems identified by UCS in its testimony, and thus some of the UCS concerns were not appropriate subjects for litigation in the TMI-1 proceeding. These problems are being resolved on TMI-1 in the same manner as they are resolved on other operating plants.

With regard to specific charges concerning the NRC's performance during the hearing, I have satisfied myself that there is no real basis behind those allegations. Thank you for your interest.

Sincerely,

Harold R. Denton, Director
 Office of Nuclear Reactor Regulation

*See previous white for concurrences.

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Mr. Matt Huber
 113 Shannon Drive
 Lancaster, Pennsylvania 17603

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Many of the concerns and allegations raised by UCS are not new, but were considered by the Licensing Board during the restart proceeding. The Licensing Board's decision is now under review by the Appeals Board where UCS is recounting many of the same arguments which it outlines in their testimony before the House Committee. The staff for the most part has disagreed with the UCS positions on what measures are necessary to assure the safe operation of TMI-1 and the staff has filed numerous documents and testimony supporting our positions.

With regard to specific safety measures identified in the UCS testimony, UCS complains that they did not have opportunity to litigate certain unresolved safety issues such as fire protection and hydrogen control problems. These unresolved safety issues apply to all plants, not just TMI-1 and are being resolved as generic problems. What must be remembered is that the license to operate TMI-1 was suspended by the Commission because of certain specific concerns that the Commission had at the time. Suspension of an operating license is an extraordinary act and when the Commission concerns no longer exist, in the staff's view, the Commission has an obligation to lift the suspension. Hence, it is true that the opportunity to litigate any and all concerns was not offered by the Commission just as it is not offered at other operating plants also affected by the same issues. These problems will be resolved on TMI-1 in the same manner as they are resolved on other operating plants.

With regard to specific charges concerning the NRC's performance during the hearing, I have satisfied myself that there is no real basis behind those allegations. Thank you for your interest.

Sincerely,

Harold R. Denton, Director
 Office of Nuclear Reactor Regulation

*See previous white for concurrences.

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| DATE | 10/26/82 | 10/13/82 | 10/16/82 | 10/ /82 | 10/ /82 | 10/ /82 | 10/19/82 |

Mr. Matt Huber
 113 Shannon Drive
 Lancaster, Pennsylvania 17603

Dear Mr. Huber:

I am writing in response to your letter to me dated August 3, 1982 concerning the UCS testimony before the House Committee of Interior and Insular Affairs. ~~I can assure you that we also were surprised at the content of the UCS's testimony.~~

Many of the concerns and allegations raised by UCS are not new, but were considered by the Licensing Board during the restart proceeding. The Licensing Board's decision is now under review by the Appeals Board where UCS is recounting many of the same arguments which it outlines in their testimony before the House Committee. The staff for the most part has disagreed with the UCS positions on what measures are necessary to assure the safe operation of TMI-1 and the staff has filed numerous documents and testimony supporting our positions.

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