



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

PDR

June 15, 1983

The Honorable Richard L. Ottinger, Chairman
Subcommittee on Energy Conservation and Power
Committee on Energy and Commerce
United States of Representatives
Washington, D. C. 20515

Dear Mr. Chairman:

At the Subcommittee's hearing on June 8, 1983, you asked for the Commission's views on whether or not the authority for issuing temporary operating licenses, due to expire on December 31, 1983, should be continued. Although individual members of the Commission differ as to how likely it is that such authority will actually be needed, it is our view that it would be desirable to extend this authority through December 31, 1984.

We make this recommendation with the clear understanding that such authority would be exercised sparingly. In all events, a plant would be allowed to operate temporarily prior to completion of the hearing process only when it is clearly demonstrated to the Commission that operation involved no undue risk to the public health and safety.

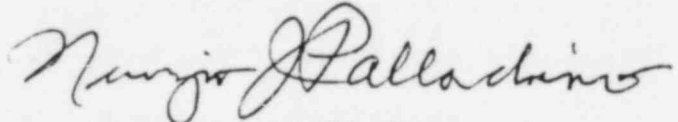
There are a large number of plants in the last stages of construction. It now appears that in at least two cases, and perhaps in as many as five, situations might arise before January 1, 1985, in which temporary operating authority might be invoked. The Commission has no way of controlling the pace of construction. Just as its earlier predictions of significant delays were largely erased by construction schedules, the opposite may also occur. It is conceivable that in these cases licensing delays could be created in situations where construction gets ahead of our schedule. The authority to issue temporary operating licenses would be a useful tool in such an event.

In the Commission's view, a simple extension of the present language of Section 11 would be satisfactory.

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Commissioners Gilinsky and Ahearne add: "In the event that Congress wants to extend NRC's authority to issue temporary operating licenses, we would recommend that this authority be restricted to low power operations."

Sincerely,

A handwritten signature in cursive script, reading "Nunzio J. Palladino". The signature is fluid and elegant, with the first name "Nunzio" and last name "Palladino" clearly distinguishable.

Nunzio J. Palladino

cc: Rep. Carlos Moorhead