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DOCKETED  
Richard K. Kessel  
Chairman

'92 APR 28 P2:46

April 28, 1992  
By Telecopy

The Hon. Ivan Selin, Chairman  
Commissioner Kenneth C. Rogers  
Commissioner Forrest W. Remick  
Commissioner James R. Curtiss  
Commissioner E. Gail de Planque  
United States Nuclear Regulatory Commission  
11555 Rockville Pike  
Rockville, Maryland 20852

Long Island Power Authority  
(Shoreham Nuclear Power Station, Unit 1)  
NRC Docket 50-322 - DCOM

Expedited Treatment of NRC Staff  
Recommendation of Immediately Effective Order  
Approving Decommissioning Plan

Dear Chairman Selin and Members of the Commission:

In his memorandum of April 17, 1992 (SECY-92-140), the NRC's Executive Director for Operations (EDO) recommends that the Commission authorize issuance of an immediately effective order approving the plan for decommissioning of Shoreham. In the memorandum, the EDO concludes that the Commission may and should, based upon analysis of the Atomic Energy Act and NRC regulations, issue the order prior to any hearings requested by potential intervenors. That memorandum also recognized the importance of issuing a decommissioning order in time to permit shipment of the bulk of the low level radioactive waste from the Shoreham site to a licensed low level waste storage facility before December 31, 1992, after which date all such facilities are expected to be closed to further disposal from outside their states. The Long Island Power Authority (LIPA) wholly concurs with the EDO's recommendation and with the legal and factual bases underlying the recommendation in the memorandum.

<sup>1</sup> The urgency of being able to ship radioactive waste from Shoreham before the end of 1992 was a principal subject of a meeting between LIPA representatives and the Staff on March 23, 1992. A copy of the minutes of that meeting is attached to SECY-92-140 and forms a part of the basis for that memorandum.

As the Shoreham licensee, LIPA also wishes to reinforce to the Commission the need for prompt action on the EDO's recommendation. As summarized below and detailed in the attached affidavit of LIPA's Shoreham Plant Resident Manager, Mr. Leslie M. Hill, timely authorization to commence decommissioning will avoid unnecessary costs to LIPA and the Long Island ratepayers and will prevent further complication of an already complex undertaking. LIPA therefore respectfully urges that the Commission act in time to enable the aforementioned immediately effective Decommissioning Order to be issued by May 15, 1992.

As of that date, LIPA will be fully mobilized to begin the most complex and radiologically challenging aspect of Shoreham decommissioning, i.e., activities related to removal, segmentation and disposal of the Shoreham Reactor Pressure Vessel (RPV) internals, to be followed immediately by segmentation and disposal of the RPV itself. These activities are constrained pending authorization to decommission Shoreham. For the reasons described in the attached affidavit, it is imperative that LIPA begin these activities as scheduled in order that they can be completed before the end of 1992, at which point all federally licensed low level radioactive waste burial sites are scheduled to close. We strongly believe that prompt removal of these components from the Shoreham site is in the best interests of LIPA, the Shoreham community, the ratepayers of Long Island and the NRC.

Project plans and preparations for Shoreham decommissioning are proceeding on or close to the schedule originally provided in the December 1990 LIPA Shoreham Decommissioning Plan. LIPA has come to this point as a result of diligent effort on the part of both LIPA personnel and the NRC staff. The NRC staff has fully reviewed the LIPA Shoreham Decommissioning Plan, and has documented its review in a Safety Evaluation Report and Environmental Assessment. To our knowledge, there are no remaining public health or safety issues which would warrant further delay in issuance of a Decommissioning Order. LIPA sincerely appreciates the efforts of all involved in getting us to this point. Further delay, however, will impact LIPA's ability to initiate the activities noted above, resulting in unnecessary project complications and costs.

We thank you for your timely consideration of this matter.

Sincerely yours,

*Richard M. Kessel*

Richard M. Kessel

SS/ab  
Attachment

cc: Samuel J. Chilk  
Edwin J. Reis  
James M. Taylor  
James P. McGranery