



UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

In the Matter of)

JERSEY CENTRAL POWER & LIGHT COMPANY)

) Docket No. 50-219

STATEMENT OF POSITION

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General Electric Company is the contractor for Jersey Central Power and Light Company for the design and construction of the Oyster Creek nuclear power plant. General Electric is also engaged in the manufacture and sale generally of boiling water nuclear power plants, nuclear boilers, and nuclear fuel. For both of these reasons General Electric has a significant interest in this proceeding and in the administration of the Commission's licensing and regulatory program.

It is General Electric's position that for the reasons stated in the Petition for Review and accompanying Brief of the AEC Regulatory Staff and in the applicant's Reply thereto, the Initial Decision and Order of the Atomic Safety and Licensing Board is in error in its requirement for the submittal to the Board of additional information and design details, particularly those relating to the core design, as a condition upon the provisional construction permit. The Board's error involves a misconception of what is necessary or practicable in terms of the

level of development of design details for a project such as Oyster Creek at the construction permit stage of the Commission's licensing process. As applicant has noted, the conditions upon the provisional construction permit flowing from this error would add a burdensome complexity to that process in the instant case.

The Board's Initial Decision and Order could have far-reaching and disturbing implications for the future administration of the Commission's regulatory program. General Electric is entirely confident that, if necessary, the conditions upon the provisional construction permit imposed by the Board in this case can and will be met. But the requirement for the submittal of this information and data to the Board constituted to review the application for a construction permit is unnecessary. Existing procedures, including ACRS and Staff Review, and the necessity to qualify for an operating license, fully protect the interests of the public, the Commission, and the industry in the safety of nuclear plants.

Further review of design details by the construction permit Board would be a distortion of the regulatory and licensing program contemplated by the Act and the Commission's regulations which, as a precedent, could have serious adverse effects on the Commission's regulatory program. General Electric does not believe such a change

in existing procedure is either necessary or desirable. If this change is to be made, however, it should not be effected by a Board decision but by changes in regulations upon which all interested members of the industry could be heard in advance.

For the foregoing reasons, General Electric Company respectfully requests the Commission to:

- (1) Accept this Statement of Position in this proceeding.
- (2) Grant the Regulatory Staff's Petition for Review.
- (3) Permit General Electric, in the event the Petition for Review is so granted, to file a brief within the period specified for filing a reply brief, and to participate otherwise as may be appropriate, upon the Commission's review of the Board's Initial Decision and Order.

Respectfully submitted,

GENERAL ELECTRIC COMPANY

By E. T. Maher
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Dated at San Jose, California

this 4th day of January, 1965.