



CHAIRMAN

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

April 5, 1984

The Honorable Edward J. Markey  
Chairman, Subcommittee on Oversight  
and Investigations  
Committee on Interior and Insular Affairs  
U. S. House of Representatives  
Washington, D. C. 20515

Dear Mr. Chairman:

This is in response to your March 28, 1984 letter to me concerning my efforts to avoid unnecessary licensing delays. In your letter you stated that if I had made prejudgments on Shoreham, I should immediately recuse myself from voting on either the low power or full power license for Shoreham.

I have not prejudged the merits of the Shoreham licensing proceeding in any respect, nor does my March 20, 1984 memorandum contain any suggestion that I have prejudged it, in reality or in appearance. My recommendation that the Commission consider options for an expedited hearing on the diesel problem, so that a low power decision might be possible, implies no judgment how the diesel generator problem should be resolved. Moreover, to assume that there will be a resolution of the emergency planning issue says nothing about how that issue might be resolved: the issue could be resolved either in granting or denying the Shoreham license.

The Administrative Procedure Act (APA) requires that agency licensing proceedings be conducted both with due regard for the rights of all the parties and completed "within a reasonable time." Since the Commission has supervisory responsibility over all of its adjudications, it is entirely in keeping with the spirit of the APA that I, as Chairman, suggest measures designed to assure that the Commission complies with both these statutory requirements. That is all that my March 20, 1984 memorandum attempts to do.

The other portions of your letter will be responded to in the near future.

Sincerely,

Nunzio J. Palladino

cc: Rep. Ron Marlenee

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PDR COMMS NRCC  
CORRESPONDENCE PDR