

September 6, 1983

Note to R. Hernan

SUBJECT: CRYSTAL RIVER 3 - CYCLE 5 RELOAD (OELD # 835 696)

This is a pretty good first try at a notice of denial but it needs to be shrunk. I have marked up the notice to limit it to the information called for by the regulation in connection with notice of denial. It is different than the information provided in the notice of issuance of an amendment. However, there is one portion of this that you need to work on - the middle portion of page 2 which gives the justification for denial. Did we previously inform the licensee of the denial from our prior communication with the licensee. If you use that language, as inadequate as it may be, that's what we did do. If you are going to expand on what we previously told the licensee, to explain it further, you can do that but what you need to explain further is the justification for the denial, not extra language about recognizing that interrupted power, etc.

The denial is very poorly justified. If you were proposing to deny this for the first time, I would disagree that you have provided adequate basis for denial. It is a very simple flat statement that you don't want to grant it. So either use the words you have already used - and don't try to justify this denial here - or expand it substantially in order to give a reasonable justification for the denial.


Joe Scinto

B502090261 B40518
PDR FOIA
ADAT084-166 PDR