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UNITED STATES
NUCLEAR REGULATORY COMMISSION
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The Honorable Jerry Patterson
United States House of Representatives
Washington, D. C. 20515

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Dear Congressman Patterson:

I and other Commissioners recently had a chance to review the testimony of Commissioner Asselstine before the field oversight hearing you held in San Luis Obispo, California on the Diablo Canyon nuclear power plant. Comments are in order on the following statements made by our colleague:

"...there is an unfortunate preoccupation, it has been growing I think over the past year or so, with avoiding licensing delays." (Transcript, Lines 1142-1144)

"...there is a growing preoccupation with avoiding licensing delays per se, rather than deciding, look, is this plant really ready to go..." (Transcript, Lines 1153-1155)

"...the Commission is losing site [sic] of what its regulatory mission really is." (Transcript, Lines 1174-1175)

I and other Commissioners disagree with Commissioner Asselstine's statements and would like the record to so indicate.

First of all, attention by the Commission to avoiding licensing delays is neither "unfortunate", nor a "preoccupation", nor "growing". It has been Commission policy for several years to eliminate unwarranted delay in reaching decisions, consistent with not compromising safety. We intend that our regulatory processes be efficient and cost effective; to do otherwise would be irresponsible, especially given that the cost of delays is estimated to be a million or so dollars per day for new large nuclear plants.

Second, there is no basis for the statement that the Commission is losing sight of its regulatory mission. We know what that mission is, it is in our sights every day, and we have instructed the rest of the agency on it as well. For example, a quote from our most recent Policy and Planning Guidance is as follows:

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PDR COMMS NRCC
CORRESPONDENCE PDR

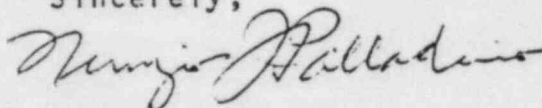
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"NRC's fundamental task is to make sure that existing nuclear facilities and those coming on-line operate safely."

We believe that our regulatory responsibilities confer upon us the obligation to issue licenses to qualified applicants so long as the operations to be permitted are safe, as supported by thorough agency review. Adequate response to public concerns is essential; however, we believe that our regulatory responsibilities do not confer upon us an obligation to support searches for ways to postpone or deny the issuance of licenses to qualified applicants when we are convinced that they are ready and able to conduct safe operations.

I and other Commissioners hope that these comments will be helpful to you in any further consideration of the record of the field hearing at San Luis Obispo.

Sincerely,



Nunzio J. Palladino

cc: Rep. Morr's K. Udall
Rep. Manuel Lujan

Identical Letter sent to:

The Honorable Leon E. Panetta
United States House of Representatives
Washington, D. C.