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

SERVED SEP 2 5 1985

OFFICE OF THE
COMMISSIONER

September 23, 1985

'85 SEP 24 P4:13

OFF... ... .
DOCKETING & SERVI...
BRANCH

David C. Lyons, M.D.
Surgery of the Hand
6404 Shadow Road
Chevy Chase, Maryland 20815

D... .. NUMBER **50-322 OL**
PROD. & UTIL FAC...

Dear Dr. Lyons:

Thank you for your letter expressing your concern about licensing issues surrounding the Shoreham Nuclear Power Plant.

As you may know, several agencies and organizations must coordinate activities and execute their individual responsibilities in order to successfully license a nuclear power plant. I believe that all of these organizations are aware of the importance of their responsibilities and act according to their interpretation of the facts and issues. When different interpretations result in conflicting views, there are mechanisms that can be employed to attempt to resolve those differences. These mechanisms include public hearings, Atomic Safety and Licensing Board procedures, appeal processes, and ultimately use of the nation's judicial review system. In every case, I believe each organization is attempting to fulfill their responsibilities.

In the case of Shoreham, the NRC has voted to authorize a low power license up to 5% power because, in our technical judgment, operation of the plant up to this power level poses no undue risk to the public health and safety. Emergency planning and some other issues must be resolved before the Commission can consider a full power license. In order to determine what emergency planning deficiencies exist, the NRC has requested FEMA to schedule an emergency drill. As such, the NRC has fulfilled its responsibilities.

Currently there are significant legal questions that must be resolved before progress can be made. I am of the opinion that numerous organizations are aware of the situation and are exerting best efforts to resolve the conflicts. Like you, I hope we can settle the questions that arise in an expeditious manner.

Sincerely,

Lando W. Zech, Jr.

DSO2