



83-128

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

September 29, 1983

The Honorable George J. Mitchell
United States Senate
Washington, D. C. 20510

Dear Senator Mitchell:

This letter responds to your letter inquiring whether the Commission has any information reflecting specific instances where the hearing process has delayed a nuclear power plant's operation, or knows of any instances of unnecessary backfit requirements.

The direct answer to your questions is in both cases no. On the details of these responses, the individual Commissioners have a variety of views, some of which were presented in their testimony before the Subcommittee on Energy Conservation and Power of the House Committee on Energy and Commerce on September 23, 1983 or in the information submitted to supplement the record of the hearing.

Sincerely,

Nunzio J. Palladino

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United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, D.C. 20510

July 20, 1983

Honorable Nunzio J. Palladino
Chairman
Nuclear Regulatory Commission
1717 H Street, N. W.
Washington, D. C. 20555

Dear Mr. Chairman:

I would like to thank you for the Commissioners participation in the hearing before the Subcommittee on Nuclear Regulation on May 25, 1983, regarding the nuclear licensing reform proposals. On Thursday, July 14, 1983, the Subcommittee held further hearings on these proposals. One of my continuing concerns about these proposals is the attempt to modify the current hearing and backfitting procedures in a way that might not serve the public interest.

In his testimony before the Subcommittee, former NRC Commissioner Peter Bradford, representing the National Association of Regulatory Utility Commissioners, stated:

...contrary to a popularly held myth, the public hearings aspects of the licensing process has never delayed a single nuclear powerplant's operation by a single week. Indeed, one reads the many pages of industry, NRC and DOE testimony in vain for a single specific illustration of a licensing delay (or an unnecessary backfit) that this legislation would cure.

Indeed, I have carefully reviewed your statement presented to the Subcommittee and the transcripts of that hearing and have found no such illustration.

If the Commission has information about any specific instances where the hearing process has delayed a nuclear powerplant's operation, or know of any instances of unnecessary backfit requirements, could you please supply the details so I can fully understand the nature of any problems with which we are attempting to address by this legislation.

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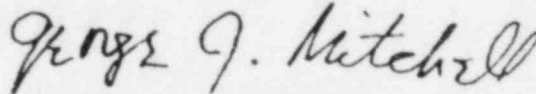
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July 20, 1983

Your prompt reply would be of great benefit to this Subcommittee's deliberations.

With best regards,

Sincerely,

A handwritten signature in dark ink, reading "George J. Mitchell". The signature is written in a cursive, slightly slanted style.

George J. Mitchell
United States Senate