

JOHN J. DUNCAN
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Congress of the United States
House of Representatives
Washington, DC 20515

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COMMITTEE

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ON TAXATION

January 20, 1986

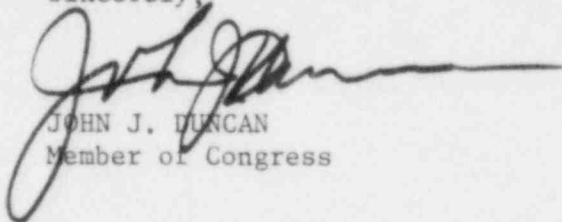
Congressional Liaison
Nuclear Regulatory Commission
Matomic Building
1717 H Street, N.W.
Washington, D.C. 20555

Dear Sir:

Please find enclosed a self-explanatory letter I have received from Mr. Carl Swafford.

Your consideration of the views and comments outlined in this communication will be deeply appreciated. I look forward to hearing from you at your earliest convenience.

Sincerely,



JOHN J. DUNCAN
Member of Congress

JJD/rh

8603040358 860220
PDR ADCK 05000259
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LEW OFFICES OF
SWAFFORD & MITCHELL
ATTORNEYS AND COUNSELORS AT LAW
NINTH FLOOR, MADISON BUILDING
CHATTANOOGA, TENNESSEE 37402

CARL A. SWAFFORD
FORD B. MITCHELL
ROBERT A. ENRIGHT, III

January 6, 1986

RECEIVED
JAN 10 1986
JOHN J. DUNCAN
WASHINGTON, D.C.

Hon. John J. Duncan
United States Congressman
2458 Rayburn House Office Building
Washington, D.C. 20515

Dear John:

Enclosed please find copy of newspaper article from the Chattanooga News Free Press dated December 24, 1985.

Don't you think from this newspaper article that the NRC has been dilatory in advising the TVA what needs to be done on the TVA plant problems?

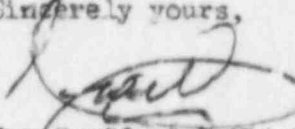
The NRC should tell the TVA what to do and then see that it is done, otherwise, the NRC should not be in charge of nuclear plants.

If the NRC is going to be the boss, then TVA ought to comply accordingly.

Please see what you can do to get this matter straightened out because it is costing taxpayers millions of dollars.

Thanking you, I am

Sincerely yours,


For Swafford & Mitchell

CAS:glh
Enclosure

Zech Sees No Hope Of January Restart

NRC Defended On TVA Plant Troubles

By MIKE PARE

News-Free Press Staff Writer

It was not a failure by the Nuclear Regulatory Commission that led to TVA's troubled nuclear power program, a member of the oversight agency said Monday, adding he sees no January restart of the utility's off-line plants.

"We make the rules that must be complied with, but it is the utility's responsibility to manage the plant," said the NRC's Lando Zech after a tour of the idled Sequoyah Nuclear Plant.

Commissioner Zech said TVA has "a long way to go" before satisfying the NRC it is ready to safely operate the nuclear-energy producing plants.

TVA asked the NRC last month for permission to reactivate one of the Sequoyah plant's nuclear reactor units by late January, but Mr. Zech said he does not believe it can be on-line then.

"Miracles can happen," said Mr. Zech, "but I don't believe it can be done."

He said there are too many items that much be taken care of at the

North Hamilton County plant which has been shut down since August, and it takes time to do them.

"Employee concerns in some cases are very real and need to be addressed," said Mr. Zech.

He added that management needs to work together in a more coordinated way.

"The responsibility rests with TVA. The NRC has a part to play, but the ultimate responsibility is TVA's," he said.

He said he believes TVA realizes that and "I trust they are taking actions to bring the plants on line when it is safe to do so."

A few years ago, he said, TVA plants were operating "fine," but it was in the past year that performance has declined.

He said he sees no regulatory failure on NRC's part.

Asking if NRC could have seen the difficulties sooner, he said it is OK for the agency to determine if it could have made better assessments of TVA's nuclear program.

"It is important to realize that everyone looks where improvements

can be made," said the former U.S. Navy admiral.

He noted there has been some criticism of the NRC, and the critics have "every right to see we do our job properly."

U.S. Rep. John Dingell, who chairs the investigations subcommittee of the House Energy and Commerce Committee, denounced the NRC for its "dismal performance" in overseeing TVA's nuclear operations.

In a 27-page reply, however, NRC Chairman Nunzio Palladino said he believes NRC has acted responsibly.

Mr. Zech said the public can expect a careful NRC review of the TVA situation.

"We make rules that must be complied with, but it is the utility's responsibility to manage the plant," he said.

Mr. Zech said he has visited about 50 plants in the past year and a half.

He said he was impressed with the operators of the Sequoyah plant, adding he thought they were knowledgeable of the plant's operations.

TVA voluntarily shut down its Browns Ferry plant in March and then Sequoyah in mid-August.

