



PDR

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

October 23, 1998

The Honorable Frank H. Murkowski, Chairman
Committee on Energy and Natural Resources
United States Senate
Washington, D.C. 20510-6150

Dear Senator Murkowski:

Thank you for your support of the Commission's initiative in issuing the recent Statement of Policy on Conduct of Adjudicatory Proceedings, as expressed in your letter dated September 14, 1998. As indicated in the Statement of Policy, the Commission is committed to monitoring its adjudicatory proceedings to make certain that they are concluded in a timely fashion while ensuring that the proceedings are fair and produce an adequate record for decision. In keeping with the Statement of Policy, the Commission has issued case-specific orders in the Calvert Cliffs and Oconee license renewal proceedings in which guidance was provided to the Atomic Safety and Licensing Boards concerning the scope of those proceedings, discovery management, and proposed schedules.

Further, the Commission recently published a proposed rule to streamline the hearing process associated with license transfer proceedings. Comments on the proposed rule, which would be codified as Subpart M to 10 CFR Part 2, the Commission's Rules of Practice, were due by October 13, 1998 and it is hoped that the rule would be in place and effective before the end of December 1998. As part of the Commission's continuing efforts to improve its administrative processes, the Commission has also undertaken a broader examination of NRC adjudicatory hearing requirements which we expect will be complete early in 1999.

Sincerely,

Shirley Ann Jackson

cc: Senator Dale Bumpers

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Advance

United States Senate

COMMITTEE ON
ENERGY AND NATURAL RESOURCES

WASHINGTON, DC 20510-6150

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September 14, 1998

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The Honorable Shirley Ann Jackson
 Chairman
 Nuclear Regulatory Commission
 Washington, D.C. 20555

Dear Madam Chairman,

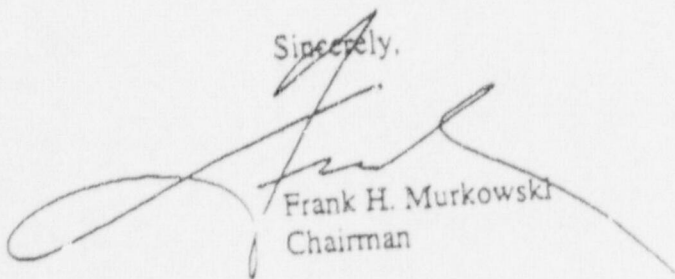
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I have noted with great interest the Commission's recent Statement of Policy on Conduct of Adjudicatory Procedures, which you recently issued to the Atomic Safety Licensing Boards. I commend you on this initiative. I am optimistic that this decisive action to "instill discipline" in the licensing processes of the Nuclear Regulatory Commission will be a key to developing a licensing system that will allow the NRC to protect health and safety while responding to the needs of a changing electricity industry.

When we met last March, we discussed the ongoing restructuring of the electricity industry in general, and its impact on the nuclear industry and its regulators, in particular. At that time, I was assured that you intended to assert your leadership to ensure that the first license renewal proceeding, for the Calvert Cliffs plant, would be completed within two to three years. I see now that a second nuclear plant has applied and that five more have communicated their intent to renew their nuclear operating licenses. I also note that a "first time ever" sale of a nuclear plant is underway with the AmerGen-GPU agreement regarding the Three Mile Island facility, and that the companies will submit the license transfer submission within ninety days. This transfer action would appear to be a very straightforward process and should serve as an opportunity to successfully implement the Commissioners' Policy Statement. I will watch this process with great interest.

Again, I commend you on taking this important step to clarify proper role of the licensing boards and the direction of licensing efforts. I urge you and your fellow Commissioners to continue to work to ensure that the Commission is able to provide a regulatory structure that allows the nuclear industry to adapt successfully to the new competitive climate. I look forward to hearing from you soon.

Sincerely,



Frank H. Murkowski
 Chairman

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