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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD PANEL  
WASHINGTON, D.C. 20555

DOCKET NUMBER 50-335-01A  
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June 15, 1988

OFFICE OF THE  
DUCKETING & RECORDS  
BRANCH

The Honorable Lawton Chiles  
United States Senate  
Federal Building  
Lakeland, Florida 33801

SERVED JUN 23 1988

Dear Senator Chiles:

Today I received the April 1, 1988 letter from Joseph C. Filonowicz, President of the Treasure Coast Environmental Coalition, concerning the St. Lucie nuclear power plant spent fuel pool expansion hearing. I am by copy of this letter sending a copy of Mr. Filonowicz's letter to the Secretary of the Commission to be filed in the docket of this proceeding with other limited appearance statements.

Mr. Filonowicz's letter was inadvertently misdirected to the Department of Energy which has no jurisdiction over the subject matter of his concerns. The forwarding letter to the Department of Energy requested the comments and views of an official of that Department. As Chairman of the Atomic Safety and Licensing Board hearing the issues raised in the proceeding, I can only offer you a procedural history of the case to date.

Only one person from the St. Lucie area, Mr. Campbell Rich, has intervened in the proceeding. He filed several contentions which have been admitted to the proceeding for litigation. A copy of that ruling is enclosed for your information. The Board's ruling was recently sustained on appeal and a schedule for reaching hearing in the fall is being established. None of the admitted contentions deal with Mr. Filonowicz's concern about the possible threat of rising ocean levels to the plant. Under our rules, we are limited to hearing issues raised in a timely fashion by intervenors admitted to the proceeding.

The second principal concern raised by Mr. Filonowicz is the long-term storage of spent fuel at nuclear power plant sites. He is particularly concerned that a firm date for terminating long-term storage of such materials be established. The Nuclear Waste Policy Act of 1982 provides in section 302(a)(5)(B) that the Department of Energy will begin receiving such materials in 1998. As I am sure you are aware, that date is premised on the time that will be needed to resolve a significant number of complex issues related to siting and construction as well as the actual building of the repository.

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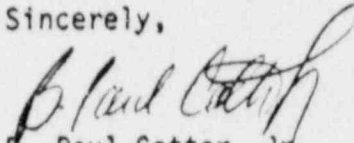
The Hon. Lawton Chiles

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6/15/88

If you or your staff need any additional information, please do not hesitate to call me.

Sincerely,



B. Paul Cotter, Jr.  
Chief Administrative Judge

Enclosure:  
Board Ruling

cc: SECY✓  
J. C. Filonowicz  
(2 Addresses)  
Thomas H. Isaacs, DOE