

e7-05-0074



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT

STATE HOUSE • BOSTON 02133

MICHAEL S. DUKAKIS
GOVERNOR

May 18, 1987

5/21..To
of Chairman
Cmrs
to Pr.
e Response for Signature
June 5...Cpys to: RF
Date d...
Docket...87-0600

Mr. Lando W. Zech, Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 21555

Dear Chairman Zech:

On July 15, 1986, several elected officials and concerned citizens of Massachusetts petitioned the Nuclear Regulatory Commission to issue an order to Boston Edison to show cause as to why Pilgrim Station should not remain closed on a temporary or permanent basis. To date, the Commission has not responded to that petition. Instead, the Commission has promised to meet with petitioners once Boston Edison has completed those actions necessary for restart of the plant.

The lack of a meaningful response from the NRC after ten months is totally unacceptable.

Public confidence in nuclear power plant operation will only deteriorate, in my judgment, if the Commission does not respect its own mechanisms for inviting public input and participation. I believe that citizens acting in good faith, utilizing the NRC's own petition process, deserve more than a promise to hear their concerns nearly one year after they were raised.

Earlier this year, Dr. Thomas Murley indicated to senior officials of my administration that he would ask the Commission to reconsider the earlier response to the petitioners. That promise was made several months ago during a visit Dr. Murley made to Massachusetts to urge closer working relations with the Commonwealth. Since that time, we have heard nothing from either Dr. Murley or the Commission on this matter.

In addition, on December 17, 1986, I appeared before the Joint Energy Committee of the Massachusetts Legislature to announce the results of a detailed study of plant management, reactor safety, and offsite emergency planning at the Pilgrim Nuclear Power plant conducted by my Secretary of Public Safety Charles V. Barry. I stated then and repeat again that the Pilgrim plant should not be allowed to restart until all the previously identified public health and safety concerns have been addressed. At that time, we forwarded a copy of Secretary Barry's report to FEMA and Region One of the NRC and requested review and comment.

8707070625 870625
PDR COMMS NRCC
CORRESPONDENCE PDR

400 --- 002888

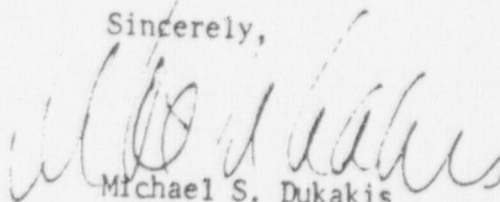
Over five months have passed since the publication of Secretary Barry's Report, and we are still awaiting a substantive response. Ordinarily, this lack of attention would be startling in view of the long history of problems at the Pilgrim Nuclear Power plant. However, in view of the extremely disappointing results of the recent Systematic Assessment of Licensee Performance (SALP) report about Pilgrim, the lack of attention to these matters is totally unacceptable.

Despite the preeminence of the federal government in nuclear power licensing, state governments cannot exercise the important responsibilities assigned to them under federal law if the Nuclear Regulatory Commission refuses to even respond to our legitimate concerns or act on a duly filed show cause petition.

Last year in your appearance before Representative Markey's congressional subcommittee, you gave assurances that the NRC would review the range of issues relating to the Pilgrim Nuclear Power plant before any consideration was given to restart. I believe strongly that before a meaningful hearing of such a nature can take place, the Commission must provide a thoughtful and thorough response to the show-cause petition and Secretary Barry's report.

I await your prompt reply.

Sincerely,



Michael S. Dukakis
Governor

MSD:aac