

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

August 17, 1989

The Honorable Gerry E. Studds, Chairman Subcommittee on Fisheries and Wildlife Conservation and the Environment Committee on Merchant Marine and Fisheries United States House of Representatives Washington, D. C. 20515

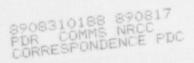
Dear Mr. Chairman:

I am responding to your letter of July 13, 1989, in which you request that an environmental assessment concerning the resumption of operation of the Pilgrim nuclear power plant be prepared before any further increase in power level is permitted. Although the recent decision in Commonwealth of Massachusetts v. NRC, No. 88-2211 (1st Cir. June 29, 1989), does not mandate such an assessment, it does conclude that restart of the Pilgrim plant involved an NRC action, that of reinstatement of a license. Even though such action under our regulations may be considered to be within the class of enforcement actions for which no environmental review is required, the Commission has decided to prepare an environmental assessment in this instance.

Sincerely

Kenneth M. Carr

cc: Rep. Don Young



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