

Natural Resources Defense Council, Inc.

917 15TH STREET, N.W.
WASHINGTON, D.C. 20005

202 737-5000

Western Office
2345 YALE STREET
PALO ALTO, CALIF. 94306
415 327-1080

January 10, 1979

New York Office
122 EAST 42ND STREET
NEW YORK, N.Y. 10017
212 949-0049

Harold Denton, Director
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Offshore Power Systems, Docket No. STN 50-437

Dear Mr. Denton:

We recently received a copy of the final environmental statement Addendum Part III in the above-titled proceeding. We wish to commend the Staff for making a substantially improved effort to come to grips with the problem of estuarine and riverine siting and particularly the inclusion in this S of certain irrevocable conditions that must be met by any prospective licensee in the future with respect to the siting of floating nuclear power plants in the estuaries of this country.

There is one point in the conditions that have been laid down which we wish to have clarified on the record. In the statement of conditions, the prospective applicant is required to "demonstrate techniques" that the conditions can be met. It is not clear, but we assume that it was intended to be clear, that the applicant in fact is required to utilize the techniques which it demonstrates and to in fact be able to meet all of the conditions laid down before the site can be approved for a floating nuclear plant. We therefore would appreciate from you a clarifying letter, to be included as part of the record of the OPS proceeding, that indicates that the Staff intends to establish as a precondition to the granting of a permit to site a FNP in an estuarine, riverine or barrier island site a demonstration by the applicant that it can and will meet the conditions laid down in the FES Addendum Part III.

One additional aspect of those conditions that we think is particularly crucial is that the applicant's demonstration of its ability to meet the conditions laid down must be made completely prior to the approval of a construction permit, and that no loophole is built into the conditions that would

7901160158

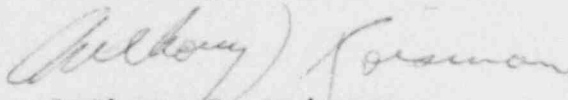
002
ES
110
A

Harold Denton
January 10, 1979
Page Two

allow an applicant to begin sinking money into the site based upon a promise to demonstrate at a future time that the techniques that it hopes to use to mitigate the consequences of the siting will in fact work. In short, the applicants may not use the floating nuclear plant as a guinea pig on which they hope to prove that they can meet the conditions, but rather the applicants must in fact demonstrate that they have in hand the techniques for meeting the conditions and that there is reasonable assurance that the techniques they intend to use will in fact meet the conditions. It would therefore be appreciated if the letter which you send me with regard to the item addressed in the previous paragraph also makes clear this aspect of the Staff's position.

I trust that I am correct in assuming that these points which I have raised are in fact matters of clarification and are not in any way suggestions of policy modifications in the Staff's original position. If it turns out that I am mistaken in this regard, would you please have someone from your staff call me directly prior to the preparation of any answer to this letter so that I might have a direct meeting with them before a formal position is taken by the Staff.

Sincerely,


Anthony Z. Koisman

cc: service list