



Department of Energy  
Washington, D.C. 20585

82 MAY 14 May 14, 1982

The Honorable Nunzio J. Palladino  
Chairman  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

The Honorable John F. Ahearne  
Commissioner  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

The Honorable Victor Gilinsky  
Commissioner  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

The Honorable Thomas F. Roberts  
Commissioner  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Re: Clinch River Breeder Reactor Plant  
Docket No. 50-537 (Section 50.12 Request)

Gentlemen:

On March 16, 1982, the Nuclear Regulatory Commission issued an Order denying the Department's request for permission to conduct site preparation activities under 10 C.F.R. 50.12. (Order, CLI-82-4, March 16, 1982.) The Department of Energy, for itself and on behalf of its co-applicants Project Management Corporation and the Tennessee Valley Authority, hereby requests reconsideration of the Commission's denial of the request to conduct site preparation activities pursuant to 10 C.F.R. §50.12. (Order, CLI-82-4, March 16, 1982).

The Commission should entertain and grant reconsideration since the majority decision was in conflict with Commission precedent and failed to fully appreciate certain important public interest considerations. In the latter respect, the Department believes that the majority decision focused on the monetary cost of delay, without proper consideration of other important public interest factors. In this regard, the Department urges the Commission to afford it the opportunity to present and have fully considered additional public interest factors, including the informational, programmatic, international, non-proliferation, and national energy policy benefits associated with grant of the request. The Department is prepared to submit supplemental information in support of this request at the direction of the Commission.

Sincerely,

*W. Kenneth Davis*

W. Kenneth Davis  
Deputy Secretary

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\* The Honorable Nunzio J. Palladino  
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U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

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Commissioner  
U.S. Nuclear Regulatory Commission  
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U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

\* The Honorable Thomas F. Roberts  
Commissioner  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

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U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dr. Cadet H. Hand, Jr.  
Director  
Bodega Marine Laboratory  
University of California  
P.O. Box 247  
Bodega Bay, California 94923

Mr. Gustave A. Linenberger  
Atomic Safety & Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Daniel Swanson, Esquire  
Office of Executive Legal Director  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

\* Stuart Treby, Esquire  
Office of Executive Legal Director  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Atomic Safety & Licensing Appeal Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

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\* Docketing & Service Section  
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U.S. Nuclear Regulatory Commission  
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Dr. Thomas Cochran  
Natural Resources Defense Council, Inc.  
1725 Eye Street, N.W., Suite 600  
Washington, D.C. 20006

Mr. Joe H. Walker  
401 Roane Street  
Harriman, Tennessee 37748

Ellyn R. Weiss  
Harmon & Weiss  
1725 Eye Street, N.W., Suite 506  
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Luther M. Reed, Esquire  
Attorney for the City of Oak Ridge  
253 Main Street, East  
Oak Ridge, Tennessee 37830

Herbert S. Sanger, Jr., Esquire  
General Counsel  
Tennessee Valley Authority  
Knoxville, Tennessee 37902

\* Barbara A. Finamore, Esquire  
Natural Resources Defense Council, Inc.  
1725 Eye Street, N.W., Suite 600  
Washington, D.C. 20006

\* Eldon V. C. Greenberg  
Tuttle & Taylor  
1901 L Street, N.W.  
Suite 805  
Washington, D.C. 20036

Commissioner James Cotham  
Tennessee Department of Economic  
and Community Development  
Suite 1007  
Andrew Jackson Building  
Nashville, Tennessee 37219

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