

GALLOWAY & GREENBERG

ATTORNEYS AT LAW

1725 EYE STREET, N. W.

SUITE 801

WASHINGTON, D. C. 20006

L. THOMAS GALLOWAY
ELDON V. C. GREENBERG

DOCKETED
USNRC

TELEPHONE
(202) 833-9084

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December 30, 1982

OFFICE OF SECRETARY
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The Honorable Nunzio J. Palladino
Chairman
Nuclear Regulatory Commission
Washington, D.C. 20555

The Honorable James K. Asselstine
Commissioner
Nuclear Regulatory Commission
Washington, D.C. 20555

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

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

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

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

Gentlemen:

In their Reply of December 28, Applicants imply (at page 9) that Congress, in enacting the Continuing Resolution for Fiscal Year 1983, somehow intended that site preparation activities continue. This implication cannot be left unchallenged, for it simply is not the case. In commenting on the intent of conferees regarding Clinch River, Congressman Brown of California stated:

[W]hile the report language permits the ongoing activities related to the Nuclear Regulatory Commission licensing process, this should not be interpreted to mean that if a construction license is obtained that construction shall begin. The language is explicit in stating that funds shall not be used for construction of permanent facilities. Neither should this language be interpreted as an

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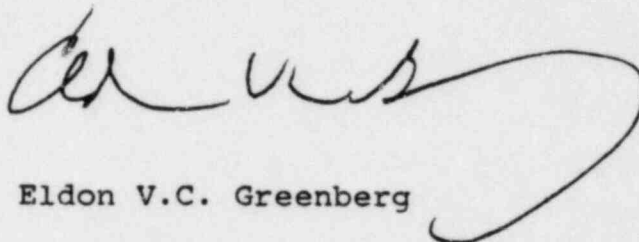
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Honorable Nunzio J. Palladino
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endorsement of the NRC's actions last year granting an emergency licensing exemption permitting site clearance at Clinch River. In fact, I believe that Members of the Congress and the public can insist on a normal licensing procedure for this first-of-a-kind project.

128 Cong. Rec. H10434 (Dec. 20, 1982).

Sincerely,

A handwritten signature in dark ink, appearing to read 'Eldon V.C. Greenberg', with a large, sweeping flourish extending from the end of the signature.

Eldon V.C. Greenberg

Counsel to Intervenors,
Natural Resources Defense
Council, Inc. and the
Sierra Club

Honorable Nunzio J. Palladino
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cc: *Daniel Swanson, Esquire
 *Stuart Treby, Esquire
 *Bradley W. Jones, Esquire
 Office of Executive Legal Director
 U.S. Nuclear Regulatory Commission
 Maryland National Bank Building
 7735 Old Georgetown Road
 Bethesda, Maryland 20814

 *R. Tenney Johnson, Esquire
 *Leon Silverstrom, Esquire
 *Warren E. Bergholz, Jr., Esquire
 *Michael D. Oldak, Esquire
 *L. Dow Davis, Esquire
 Office of the General Counsel
 U.S. Department of Energy
 1000 Independence Avenue, S.W.
 Washington, D.C. 20585

 *George L. Edgar, Esquire
 *Irvin N. Shapell, Esquire
 *Thomas A. Schmutz, Esquire
 *Gregg A. Day, Esquire
 *Frank K. Peterson, Esquire
 Morgan, Lewis & Bockius
 1800 M Street, N.W.
 Washington, D.C. 20036

 *Docketing and Service Section
 Office of the Secretary
 U.S. Nuclear Regulatory Commission
 Washington, D.C. 20555
 (3 copies)

* By hand delivery.

Honorable Nunzio J. Palladino
Honorable James K. Asselstine
Honorable Victor Gilinsky
Honorable John F. Ahearne
Honorable Thomas F. Roberts
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Page Four

*Leonard Bickwit, Esquire
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

*Marshall E. Miller, Esquire
Chairman
Atomic Safety & Licensing Board
U.S. Nuclear Regulatory Commission
4350 East West Highway
Bethesda, Maryland 20814

*Gustave A. Linenberger
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
4350 East West Highway
Bethesda, Maryland 20814

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

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

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

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Honorable Nunzio J. Palladino
Honorable James K. Asselstine
Honorable Victor Gilinsky
Honorable John F. Ahearne
Honorable Thomas F. Roberts
December 30, 1982
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Herbert S. Sanger, Jr., Esquire
Lewis E. Wallace, Esquire
James F. Burger, Esquire
W. Walker LaRoche, Esquire
Edward J. Vigluicci
Office of the General Counsel
Tennessee Valley Authority
400 Commerce Avenue
Knoxville, Tennessee 37902

William B. Hubbard, Esquire
Assistant Attorney General
State of Tennessee
Office of the Attorney General
422 Supreme Court Building
Nashville, Tennessee 37219

Lawson McGhee Public Library
500 West Church Street
Knoxville, Tennessee 37902

William E. Lantrip, Esquire
City Attorney
Municipal Building
P.O. Box 1
Oak Ridge, Tennessee 37830

Oak Ridge Public Library
Civic Center
Oak Ridge, Tennessee 37820

Commissioner James Cotham
Tennessee Department of Economic
and Community Development
Andrew Jackson Building, Suite 1007
Nashville, Tennessee 32219