



TOWN OF EAST HAMPTON

159 Pantigo Road
East Hampton, New York 11937

RONALD GREENBAUM
SUPERVISOR

(516) 324-4140

April 11, 1983

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

Re: Shoreham Nuclear Power Station
Construction Permit #CPPR-95

Dear Mr. Denton:

The Town of East Hampton, on eastern Long Island, lies east of LILCO's Shoreham Nuclear Power Plant, and I am the Supervisor of the aforementioned town. East Hampton is home to more than 15,000 year-round residents, and in the summer months the population swells to more than 45,000 people. It has been brought to my attention that the construction permit for Shoreham expired on March 31, 1983, unless otherwise extended by your office. This letter is to urge that you deny LILCO's request to continue construction at Shoreham and to prevent further wasteful expenditure of tens of millions of dollars on the project.

On the basis of many months of intensive examination, Suffolk County has determined that the safe evacuation of its residents, and those on eastern Long Island in particular, could not be accomplished. Accordingly, Suffolk has urged the NRC to terminate the Shoreham operating license proceedings in view of the fact that approval and implementation of a Suffolk County off-site emergency plan is a requirement for the issuance of an operating license. I agree with the County's determination and see no reason why construction at Shoreham should be permitted to continue.

I have also been made aware of comments attributable to NRC spokesmen in *NEWSDAY*, suggesting that less than serious attention will be given to the County request that construction be halted. As an example, James Fitzgerald, assistant general counsel at the NRC, reportedly stated "I don't think you need an evacuation plan during construction", while NRC spokesman Frank Ingram is alleged to have remarked, "Requests to extend plant construction dates are a dime a dozen". (See enclosed copy of article.) These comments do not instill confidence in the integrity of

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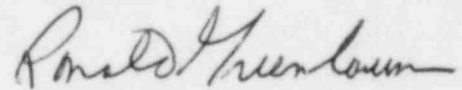
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the NRC decision making process, and I trust this is not indicative of the attention you will devote to this matter.

It is my belief that the County's determination that there can be no safe evacuation of Suffolk residents is dispositive of the question of whether Shoreham will be permitted to operate. In view of that controlling fact, it would be irresponsible for your office to continue to permit LILCO to expend millions of dollars in funds for construction. I strongly object to any action, or inaction, by the NRC that would permit further escalation of Shoreham's construction costs.

I urge you to give Suffolk County's opposition to the extension of LILCO's construction permit your immediate attention, and will await your response to my concerns in this issue.

Sincerely,



RONALD GREENBAUM
Supervisor

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Encs.
cc: Chairman Palladino and Commissioners

3/18/83

THE REGION

Permit Extension For N-Plant Fought

By Robert Fresco

In an unusual move aimed at preventing the opening of the Shoreham nuclear plant, Suffolk County has asked the federal Nuclear Regulatory Commission to block a routine extension of the plant's construction permit.

The county contends in its request that because it has not approved an emergency evacuation plan for the plant, Shoreham cannot open, and as a result, construction should not proceed.

But the legality of the county action was immediately questioned by a top NRC attorney. James Fitzgerald, an assistant general counsel, said he doubted the county's objection had any legal basis. "I don't think you need an evacuation plan during the construction phase," he said.

And NRC spokesman Frank Ingram said that "requests to extend plant construction dates are a dime a dozen." And, he added, the commission routinely grants them.

"His attitude doesn't surprise me," Deputy County Executive Frank Jones said of Fitzgerald's comment. "The Nuclear Regulatory Commission consistently falls on the side of the nuclear-power advocates."

LILCO's construction permit expires March 31. On Feb. 25, the company submitted a request for a nine-month extension. LILCO spokeswoman Judith Brabham said that the utility is not changing its previously announced plan to load fuel into the reactor by the end of June and begin commercial production of electric power there in early 1984. She said an extension beyond June was requested to allow "minor construction work" such as painting in the "non-nuclear" area of the plant.

LILCO's construction permit for the \$3.2-billion plant has already been extended twice, Brabham said. The original permit was granted in April, 1973, and expired in May, 1979. Brabham said it was "customary" for utilities to ask for extensions.

But the county's lawyer, Herbert Brown, wrote in a letter Wednesday to the NRC, "We submit that the LILCO request [for the extension] can't lawfully be granted." This, he argued, is because, "no operating license for the Shoreham plant can lawfully be issued," since there is no emergency evacuation plan for the plant. "Suffolk County has resolved that it will not adopt or implement" such a plan, he added.



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